

Sandgate Parish Council

CCTV Policy

Reviewed and agreed: Full Council Committee meeting 22nd April 2021- Agenda item 7

1.0 Background

1.1 In order for Sandgate Parish Council to comply with the requirements of the General Data Protection Regulations, the Information Commissioners CCTV Code of Practice and the Freedom of Information Act 2000, the Council must have a policy on its use of CCTV for overt surveillance.

2.0 Purpose

2.1 In order to adhere to legislative requirements and confidential nature of the Parish Council's CCTV operations this document sets out:

- the manner in which these operations will be carried out;
- the sites from which recordings will be made.

2.2 This policy sets out how the Parish Council's CCTV system (the system) will be controlled and managed in a confidential manner.

2.3 Camera surveillance is maintained using static cameras at the following locations.

- | | | |
|---------|------------------------|----------------------------------|
| • SPC1 | Castle Road Car Park | Above Pay Point – No Post Number |
| • SPC2 | Castle Road Car Park | Lamppost Number – NCBW001 |
| • SPC3 | Golden Valley Car Park | Lamppost Number – NEBV019 |
| • SPC4 | Golden Valley Car Park | Lamppost Number – NDCD001 |
| • SPC5 | Golden Valley Car Park | Lamppost Number – NDCD001 |
| • SPC6 | Sandgate High Street | Lamppost Number – NSAO007 |
| • SPC7 | Sandgate High Street | Lamppost Number – NSAO009 |
| • SPC8 | Sandgate High Street | Lamppost Number – NSAO009 |
| • SPC9 | Sandgate High Street | Lamppost Number – NSAO014 |
| • SPC10 | Sandgate High Street | Lamppost Number – NSAO014 |
| • SPC11 | Sandgate High Street | Lamppost Number – NSAO016 |
| • SPC12 | Sandgate High Street | Lamppost Number – NSAO019 |
| • SPC13 | Sandgate Park | Lamppost Number – NMHB202 |
| • SPC14 | Sandgate Park | Lamppost Number – NMHB202 |

2.4 The policy will be reviewed periodically by the Parish Clerk/ Deputy Parish Clerk to ensure that it continues to reflect the public interest and meets with legislative requirements.

3.0 Objectives

The objectives of the systems are to:

- Increase personal safety and reduce the fear of crime;

- Support the Police in the detection of crime;
- Assist in the identification, apprehension and prosecution of offenders;
- Protect our assets.

4.0 Statement of Intent

- 4.1 The CCTV System is registered with the Information Commissioner and is operated in accordance with the requirements of the General Data Protection Regulations and the Commissioner's Code of Practice.
- 4.2 The Parish Council will treat the information obtained by the system as protected under the General Data Protection Regulations.
- 4.3 Cameras will be used to monitor activities around Sandgate High Street, Castle Road Car Park, Golden Valley Shopping Area Car Park and Sandgate Park to identify criminal activity or anti-social behaviour occurring, anticipated, or perceived, for the purpose of securing the safety and well-being of the public.
- 4.4. Cameras are not focused on private homes, gardens or other areas of private property. Should a Resident have a concern about an area of CCTV focus the Parish Council will, on receipt of a request in writing arrange to remove the area of concern from CCTV view. Any such requests should be delivered in person to Sandgate Parish Council together with photographic proof of the applicant's identification and proof of address. The address confirmation must be the same as the area of CCTV concern.
- 4.5 Data or knowledge secured because of CCTV will not be used for any commercial purpose. Data will only be released to the Police for use in the investigation of a specific crime upon receipt of appropriate written request from the police. Data will not be released to the media unless the police confirm that it would be in the public interest.
- 4.6 The planning and design of the system endeavours to ensure that it will give maximum effectiveness and efficiency, but it does not guarantee to cover or detect every incident taking place in the areas of coverage.
- 4.7 Warning signs, as required by the Information Commissioners have been placed at areas covered by the CCTV.

5.0 Operation of the System

- 5.1 The Scheme is managed by the Parish Clerk/ Deputy Parish Clerk, in accordance with this policy and the principles and objectives expressed in this policy.
- 5.2 Day to day administration of the system will be the responsibility of the Parish Clerk/ Deputy Parish Clerk.
- 5.3 The CCTV system will operate continuously 24 hours a day, every day of the year; subject to operational considerations such as maintenance and repair.

6.0. Control of Equipment

- 6.1 The system will be periodically checked to confirm the efficiency of the system, ensuring

the equipment is properly recording and the cameras operational.

- 6.2 Access to the equipment will be restricted to the Parish Clerk/ Deputy Parish Clerk and maintenance contractors.
- 6.3 Viewing of the recordings is restricted to those legally entitled to access (I.e. the Police for the prevention and detection of crime and Data Subjects as outlined in 9.3 where reasonable and at reasonable cost). Appropriate evidence of authority will be required before access is allowed.
- 6.4 A register of access is maintained by the Parish Clerk/ Deputy Parish Clerk. Full details of each access that has taken place shall be recorded including: name, reason for request, authority for request, time and date.
- 6.5 If during periodic checking of the system a serious incident is viewed on the system appropriate emergency services will be summoned.

7.0 Monitoring Procedures

- 7.1 Camera recording is maintained at all times.
- 7.2 It is a recording only not monitored system.

8.0 Recordings used in Evidence

- 8.1 In order to maintain and preserve the integrity of recordings, CD/DVD's used to record events and the facility to use them in any future proceedings, the following procedures for their use and retention must be strictly adhered to:
 - (i) Each *CD/DVD/ Memory Stick* must be identified by a unique mark.
 - (ii) The Parish Clerk/ Deputy Parish Clerk shall register the date and time of *CD/DVD/ Memory Stick* insert, including *CD/DVD/ Memory Stick* reference.
 - (iii) A recording required for evidential purposes must be sealed, witnessed, signed by the Parish Clerk/ Deputy Parish Clerk, dated and stored in a separate, secure, evidence store. If a *CD/DVD/ Memory Stick* are not copied for the police before it is sealed, a copy may be made at a later date providing that it is then resealed, witnessed, signed by the controller, dated and returned to the evidence *CD/DVD/ Memory Stick* store.
 - (iv) If the recording is archived the reference must be noted.
- 8.2 Recordings may be viewed by the Police or crime prevention agencies for the prevention and detection of crime, the Parish Clerk/ Deputy Parish Clerk for supervisory purposes, authorised demonstration and training.
- 8.3 A record will be maintained of the release of copies of recordings to the Police or other authorised applicants. A register will be available for this purpose.

- 8.4 Viewing of recordings by the Police must be recorded in writing. Requests by the Police can only be actioned in accordance with the General Data Protection Regulations.
- 8.5 Should a *CD/DVD/Memory Stick* be required as evidence, a copy may be released to the Police under the procedures described in paragraph 8.1 (iii) of this policy. *CD/DVD/Memory Stick* will only be released to the Police on the clear understanding that the *CD/DVD/Memory Stick* remains the property of the Parish Council, and the *CD/DVD/Memory Stick* and information contained on it are to be treated in accordance with this policy. The Parish Council also retains the right to refuse permission for the Police to pass to any other person the *CD/DVD/Memory Stick* or any part of the information contained thereon. On occasions when a Court requires the release of an original *CD/DVD/Memory Stick* this will be produced from the secure evidence *CD/DVD/Memory Stick* store, complete in its sealed bag.
- 8.6 The Police may require the Parish Council to retain the stored *CD/DVDs/Memory Sticks* for possible use as evidence in the future. Such *CD/DVDs/Memory Sticks* will be properly indexed and properly and securely stored until they are needed by the Police.
- 8.7 Applications received from outside bodies (e.g. solicitors, Folkestone & Hythe District Council – Community Safety Unit) to view or release *CD/DVDs/Memory Sticks* will be referred to the Parish Clerk / Deputy Parish Clerk. In these circumstances *CD/DVDs/Memory Sticks* 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. There would not be a charge in most cases for responding to a subject access request but the Parish Council can charge a reasonable fee, if they consider the request to be manifestly unfounded or excessive or an individual requests further copies of their data.
- 9.0 **Viewing Data**
- 9.1 Recordings may be viewed by the Police for the prevention and detection of crime, the Parish Clerk/ Deputy Parish Clerk may view for similar reasons and for security purposes, demonstration and training.
- 9.2 Records will also be maintained of any viewings by authorised authorities and a register maintained for this purpose. Requests by the Police can only be actioned in accordance with the General Data Protection Regulations.
- 9.3 The General Data Protection Regulations provides Data Subjects (individuals to whom "personal data" relate) with a right to data held about themselves, including those obtained by CCTV.
- 9.4 Requests for Data Subject Access should be made to the Parish Clerk/ Deputy Parish Clerk. There would not be a charge in most cases for responding to a subject access request.
- 10.0 **Breaches of the Policy (including breaches of security)**
- 10.1 Any breach of this policy will be initially investigated by the Parish Chairman, in order for appropriate action to be taken. A report of the incident will be made to Council together with any recommended actions to remedy the breach.

Note: A breach by Parish staff could lead to disciplinary action.

- 10.2 Any serious breach of the policy may be further investigated by an independent investigator reporting on recommendations to remedy the breach.
- 10.3 The Parish Council will report any notifiable breach to The Information Commissioners Office (ICO) without undue delay, but not later than 72 hours after becoming aware of it. Should the Parish Council for any reason take longer than 72 hours to make such a report then reasons for such a delay will be given.

11.0 Assessment of the Scheme

- 11.1 Performance monitoring, including random operating checks, may be carried out on site by the Parish Clerk/ Deputy Parish Clerk.

12.0 Complaints

- 12.1 Any complaints about the Parish Council's CCTV system or its use should be addressed to the Parish Chairman who will investigate the complaint in conjunction with the local District Council's Monitoring Officer.
- 12.2 Complaints will be investigated in accordance with Section 10 of this policy.

13.0 Public information

- 13.1 Copies of this policy are available to the public on the Parish Council's website or in paper form from the Parish Council Office

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Updated 22/04/2021

Request Received by:
Date Request Received:
Time Request Received:
Request Approved Yes/No?
Date and Time Applicant Informed Request Approved/Declined
Actioned By:
Date:
Image Identified by:
Date:
Applicant attended viewing on:
Date:
Result:
In the presence of:
Fee Charged / N.A
Date Fee Paid

Doc Number SPCCCTV2

Dated 14/10/2020

Sandgate Parish Council

CCTV SUBJECT ACCESS REQUEST FORM

This policy was adopted by Sandgate Parish Council at its meeting held on: 20th October 2020.

Application form for access to CCTV images

Under the General Data Protection Regulations, you have the right to access personal information held by this Authority about you, the 'Data Subject'. This also applies to CCTV pictures if you are the subject, although the costs of supplying this must be proportionate.

You should note that there are some exemptions. (For details of these please contact the Parish Council's Data Protection Officer or see the guidance notes accompanying this form).

If the information is not exempt, you should note that there are certain conditions that you must fulfil if you wish to view or receive a hard copy of recorded pictures. These include supplying proof of your identity (or the identity of a representative whom you have appointed to access records on your behalf). Please complete this form, providing as much information as possible.

Please note – Recorded data is only held for 28 days then deleted. DVD/Memory Stick copies are held for 2 years and all paper forms are held for 5 years.

1. Application (*please tick*)

- I am making this application about myself – I am the Data Subject
- I authorise a representative to deal with this application on my behalf

1 Personal details

Title	First Name	Last Name
Address		Postcode
Mobile phone no.		Day time phone no.
Email		
Date of Birth		
Gender*		Height*

Sandgate Parish Council

Used for identification purposes only

2. Representatives details (if applicable)

Title	First Name	Last Name
Relationship to data subject e.g. solicitor, power of attorney, parent.		
Date of Birth of data subject		

3. Information required

To help us find the CCTV data you require, please complete the following section.

Date	Time
Location	
Description of Incident (include sufficient information to enable identification such as a full description, clothing etc. You may also enclose a photograph).	

4. Declaration

I confirm that I am the Data Subject and that this is all the personal data I am requesting access to which is held by Sandgate Parish Council for its purposes.

Signed	Date
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or

I confirm that I am acting on behalf of the Data Subject and have submitted proof of my authority to do so.

Title	First Name	Last Name
Address	Postcode	

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Mobile phone no.	Day time phone no.
Email	
Signed	Date

5. Fee and proof of identity

We also require evidence that you are who you say you are and we need to be satisfied that your enquiry is not vexatious or malicious.

Please enclose copies of at least two proofs of identity. The council's Subject Access Request Policy provides a list of acceptable documents of identification which includes but is not limited to: a birth/adoption certificate, a current driving licence, a valid passport or a recent utility bill.

One of the documents must contain a photo image and one must clearly show your name, date of birth and current address. Documentation must be original: photocopies will not be accepted.

If you are applying on someone else's behalf, please enclose proof of identity for both the Data Subject and yourself as well as documented authority to act on the Data Subject's behalf (i.e. a signed and dated letter from the person who is authorising you to act on his/her behalf).

Failure to comply with either will delay your request or will mean that it is refused.

After completing the application form, please check to ensure that all the information you have provided is accurate and all required documents and the fee are enclosed.

Please return the application form to:

The Parish Clerk/Deputy Parish Clerk
Sandgate Parish Council
Sandgate Parish Council Library
James Morris Court
Sandgate High Street
Sandgate
Kent
CT20 3RR

Sandgate Parish Council is committed to the principles defined in the General Data Protection Regulations. Information on this document will, therefore, be used only for the purposes described above. We may store the data in manual or electronic form, but only for as long as we are required to do so by law.

Sandgate Parish Council

Doc Number SPCCCTV4

Dated 19/10/2020

Sandgate Parish Council

Sandgate Parish Council

Download Receipt Form – CCTV Images

Police

Date and Time of Recording:	Place of Recording:
Police Contact Details:	Reason for Request:
Date Request Received:	Date Download Received by Police:
Signed (Parish Clerk/Deputy Parish Clerk)	Signed (on behalf of Police) Badge Number

Doc Number SPCCCTV3

Dated 14/10/2020

Sandgate Parish Council

Sandgate Parish Council - CCTV Policy

THIS POLICY MUST BE COMPLIED WITH AT ALL TIMES

I have read the above policy and agree to abide by these instructions and will raise any concerns to the Parish Clerk/ Deputy Parish Clerk.

Signed Print Name Dated

Signed Print Name Dated

Signed Print Name Dated

Signed Print Name Dated

Signed Print Name Dated

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Signed Print Name Dated

(All Clerks are issued with a copy of this policy and shall sign to confirm receipt and compliance.)

Doc Number SPCCCTV5

Dated 14/10/2020