



**CCTV POLICY**

## 1. POLICY STATEMENT

1.1 We believe that CCTV has a legitimate role to play in helping to maintain a safe and secure environment for all our staff and visitors. However, we recognise that this may raise concerns about the effect on individuals and their privacy. This policy is intended to address such concerns. Images recorded by surveillance systems are personal data which must be processed under data protection laws. We are committed to complying with our legal obligations and ensuring that the legal rights of individuals relating to their personal data are recognised and respected.

1.2 This policy is intended to assist Ryde Town Council in complying with their legal obligations when working with personal data. In certain circumstances, the misuse of information generated by CCTV could constitute a criminal offence.

## 2. DEFINITIONS

2.1 For this policy, the following terms have the following meanings:

**CCTV:** means cameras designed to capture and record images of individuals and property.

**Data:** is information, which is stored electronically, or in certain paper-based filing systems. In respect of CCTV, this generally means video images. It may also include static pictures such as printed screenshots.

**Data subjects:** means all living individuals about whom we hold personal information as a result of the operation of our CCTV.

**Personal data:** means data relating to a living individual who can be identified from that data (or other data in our possession). This will include video images of identifiable individuals.

**Data controllers:** We are the data controller of all personal data used by us.

**Data users:** are those of our employees whose work involves processing personal data. Data users must protect the data they handle per this policy.

**Data processors:** are any person or organisation that is not a data user (or employee of Ryde Town Council) that processes data on our behalf and following our instructions (for example, a supplier which handles data on our behalf).

**Processing:** is any activity which involves the use of data. It includes obtaining, recording, or holding data, or conducting any operation on the data including organising, amending, retrieving, using, disclosing, or destroying it. Processing also includes transferring personal data to third parties.

**Our Premises:** 147 High Street Ryde, St Thomas Youth Centre, Ryde Town Council Offices, Ryde Marina, allotment sites, Vectis Hall and the former Natwest Bank Building

### **3. ABOUT THIS POLICY**

3.1 We currently use CCTV cameras to view and record individuals on and around our premises. This policy outlines why we use CCTV, how we will use CCTV and how we will process data recorded by CCTV cameras to ensure we are compliant with data protection law and best practice. This policy also explains how to make a subject access request in respect of personal data created by CCTV.

3.2 We recognise that information that we hold about individuals is subject to data protection legislation. The images of individuals recorded by CCTV cameras are personal data and therefore subject to legislation. We are committed to complying with our legal obligations and seek to comply with best practice suggestions from the Information Commissioner's Office (ICO).

3.3 This policy covers all employees and other individuals working and/or visiting our premises.

3.4 This policy has been approved by Ryde Town Council.

3.5 The policy will be regularly reviewed to ensure that it meets legal requirements, relevant guidance published by the ICO and industry standards.

3.6 A breach of this policy may, in appropriate circumstances, be treated as a disciplinary matter. Following an investigation, a breach of this policy may be regarded as misconduct leading to disciplinary action, up to and including dismissal.

### **4. PERSONNEL RESPONSIBLE**

4.1 The Town Council has overall responsibility for ensuring compliance with relevant legislation and the effective operation of this policy. Day-to-day management responsibility for deciding what information is recorded, how it will be used and to whom it may be disclosed has been delegated to the Town Clerk.

4.2 Responsibility for keeping this policy up to date has been delegated to the Town Clerk.

### **5. REASONS FOR USE OF CCTV**

5.1 We currently use CCTV around our site as outlined below. We believe that such use is necessary for legitimate purposes, including:

(a) to prevent crime and protect buildings and assets from damage, disruption, vandalism and other crime.

(b) for the personal safety of staff, visitors and other members of the public and to act as a deterrent against crime.

(c) to support law enforcement bodies in the prevention, detection and prosecution of crime.

(d) to assist in the effective resolution of disputes which arise during disciplinary or grievance proceedings.

(e) to assist in the defense of any civil litigation

This list is not exhaustive and other purposes may be or become relevant.

## **6. MONITORING**

6.1 Camera locations are chosen to minimise viewing of spaces not relevant to the legitimate purpose of the monitoring. As far as practically possible, CCTV cameras will not focus on private homes, gardens, or other areas of private property.

6.2 Images are monitored by authorised personnel during working hours only.

## **7. HOW WE WILL OPERATE ANY CCTV**

7.1 Where CCTV cameras are placed, we will ensure that signs are displayed at the entrance of the surveillance zone to alert individuals that their image may be recorded. Such signs will contain details of the organisation operating the system, the purpose of using the surveillance system and who to contact for further information, where these things are not obvious to those being monitored.

7.2 Live feeds from CCTV cameras will only be monitored where this is reasonably necessary, for example, to protect health and safety.

7.3 We will ensure that live feeds from cameras and recorded images are only viewed by approved members of staff whose role requires them to have access to such data.

7.4 Cameras will be sited so they only capture images relevant to the purposes for which they are installed, and care will be taken to ensure that reasonable privacy expectations are not violated. Ryde Town Council will ensure that the location of equipment is carefully considered to ensure that images captured comply with the Data Protection Act 2018.

## 8. RESTRICTIONS ON USE

8.1 CCTV cameras should not record sound unless a notice advertising that sound is recorded is prominently displayed.

8.2 CCTV shall not be routinely used for monitoring staff. If required as proof of persistent issues such as repeated failure to report to work, persistent lateness, and unauthorised absences the staff member shall be informed **before** any monitoring takes place.

8.3 CCTV footage shall not be utilised as primary evidence in disciplinary proceedings unless the accusations are of a serious or persistent nature or involve criminal activities. In cases where CCTV footage is considered as evidence, it should be managed with discretion and in accordance with applicable laws and regulations governing privacy and data protection. The decision to use CCTV footage in disciplinary proceedings shall be made by authorised personnel following due diligence and consideration of the severity of the alleged misconduct.

8.4 Should not be used for any automated decision taking.

8.5 Should not be placed in toilets, changing rooms or restricted areas.

8.6 We will never engage in covert monitoring or surveillance.

## 9. USE OF DATA GATHERED BY CCTV

9.1 To ensure that the rights of individuals recorded by the CCTV system are protected, we will ensure that data gathered from CCTV cameras is stored in a way that maintains its integrity and security. This may include encrypting the data, where it is possible to do so.

9.2 Given the large amount of data generated by surveillance systems, we may store video footage using a cloud computing system. We will take all reasonable steps to ensure that any cloud service provider maintains the security of our information, under industry standards.

9.3 We may engage data processors to process data on our behalf. We will ensure reasonable contractual safeguards are in place to protect the security and integrity of the data.

## 10. RETENTION AND ERASURE OF DATA GATHERED BY CCTV

10.1 Data recorded by the CCTV system will be stored digitally on the hard drive of the CCTV and/or digitally using a cloud computing system. CCTV images are not to be retained for longer than necessary. Data storage is automatically managed by the CCTV digital recorder which uses software programmed to overwrite historical data in chronological order to enable the recycling of storage capabilities. This process takes approximately 30 days.

10.2 On occasion it may be necessary to retain downloaded images or footage for a longer period, for example when a law enforcement body is investigating a crime, to allow them to view the images as part of an active investigation.

10.3 At the end of their useful life, all images stored in whatever format will be erased permanently and securely. Any physical matter such as tapes or discs will be disposed of as confidential waste. Any still photographs and hard copy prints will be disposed of as confidential waste.

## **11. USE OF ADDITIONAL SURVEILLANCE SYSTEMS**

11.1 Officers will consider the nature of the problem that we are seeking to address at that time and whether the surveillance camera is likely to be an effective solution, or whether a better solution exists. In particular, we will consider the effect a surveillance camera will have on individuals and therefore whether its use is a proportionate response to the problem identified.

11.2 No surveillance cameras will be placed in areas where there is an expectation of privacy (for example, in changing rooms) unless, in very exceptional circumstances, it is judged by us to be necessary to deal with profoundly serious concerns.

## **12 ONGOING REVIEW OF CCTV USE**

12.2 We will ensure that the ongoing use of existing CCTV cameras in the workplace is reviewed periodically to ensure that their use remains necessary and appropriate, and that any surveillance system is continuing to address the needs that justified its introduction.

## **13. REQUESTS FOR DISCLOSURE**

13.1 We may share data with others where we consider that this is reasonably necessary for any of the legitimate purposes set out above in Paragraph 5.1. Requests must be made in writing to the Town Clerk.

13.2 No images from our CCTV cameras will be disclosed to any third party, without express permission being given by the Town Clerk. Data will not normally be released unless satisfactory evidence is provided that it is required for legal proceedings or insurance purposes.

13.3 In other appropriate circumstances, we may allow law enforcement agencies to view or remove CCTV footage where this is required in the detection or prosecution of crime.

13.4 We will maintain a record of all disclosures of CCTV footage subject to document retention guidelines.

13.5 No images from CCTV will be posted online or disclosed to the media, unless requested to do so by the police.

## **14. SUBJECT ACCESS REQUESTS**

14.1 Data subjects may request disclosure of their personal information, and this may include CCTV images (data subject access request). A data subject access request should be made in writing. A response should be provided within a month. We should tell the individual why we are processing the information, the types of data involved, who we have shared it with, how long we will keep it and advise them as to their rights including the right to complain to the ICO if concerned about our processing.

14.2 For us to locate relevant footage, any requests for copies of recorded CCTV images must include the date and time of the recording, the location where the footage was captured and, if necessary, information identifying the individual.

14.3 We will provide a copy of the individual's personal data to them but reserve the right to obscure images of third parties when disclosing CCTV data as part of a subject access request, where we consider it necessary to do so. We will consider the ICO Code of Practice and the law when deciding as to whether to disclose third party personal data.

## **15. COMPLAINTS**

15.1 If anyone has questions about this policy or any concerns about our use of CCTV, then they should speak to the Town Clerk in the first instance.

## **16. REQUESTS TO PREVENT PROCESSING**

16.1 We recognise that, in rare circumstances, individuals may have a legal right to object to processing and in certain circumstances, to prevent automated decision making (see Articles 21 and 22 of the GDPR). For further information regarding this, please contact the Town Clerk.