

CCTV Policy

This document complies with the Code of Practice prepared by the Surveillance Camera Commissioner (SCC) published in 2013.

Statement

Lostock Gralam Parish Council use a Closed-Circuit Television (CCTV) system at the Stubbs Lane play area, open space, MUGA and Community Centre car park.

Purpose

The purpose of this policy is designed to give clear guidance on the Council's use of CCTV and to protect the Council from allegations of misuse of the system and protect officers, elected members, and the public from any abuse of the CCTV system.

Scope

This policy covers the use of CCTV equipment and the gathering, storage, use and disposal of visual data. This policy applies to all staff employed by the Council, its elected members and authorised CCTV users who are non-elected members.

Risk

It is important that everyone and especially those charged with operating the CCTV systems on behalf of the Council understand why the system has been introduced and what the cameras will and will not be used for.

- The primary objectives of the Council's CCTV systems are to assist in the detection and prevention of crime, anti-social behaviour and the maintenance of public order.
- Facilitate the apprehension and prosecution of offenders in relation to crime, public order and anti-social behaviour.
- To collect and provide evidence for the purpose of criminal and civil litigation by the police or other bodies with a responsibility for enforcing law, licensing regimes and other regulatory functions.
- To protect the Council assets, resources, staff, land and other public facilities and ensure reasonable, justified and proportionate compliance with Council Policy and Procedure.
- To assist in improving the environment of the area.
- To provide assistance to emergency services.

Privacy

The CCTV system is included as part of the Council's Data Protection Registration with the Information Commissioners Office (ICO) in accordance with all data protection requirements. Every consideration will be given to the right of the general public to go about their daily business with minimum loss of privacy. Whilst total privacy cannot be guaranteed within a

CCTV area, the cameras and their recordings will not be used to unduly monitor persons going about their lawful business.

It is a requirement under the Information Commissioners Code of Practice and the National CCTV Strategy that any equipment purchased is fit for purpose and will meet the objectives set down for the scheme. There is also a clear requirement for all CCTV schemes to have an effective maintenance schedule and Code of Practice.

Audio recording should only be used where the Council:

- has identified a need or issue which can be characterised as a pressing social need and can evidence that this need must be addressed
- has considered other less privacy intrusive methods of addressing the need; and
- having reviewed the other less privacy intrusive methods, the Council has concluded that these will not appropriately address the identified issue and the only way to address the issue is through the use of audio recording

If a decision is made to use audio recording, the Council will make it clear that audio recording is taking place, over and above any visual recording which is already occurring.

Prior to any decision to use audio recording, a Data Protection (Privacy) Impact Assessment must be undertaken to inform the decision-making process.

CCTV Code of Practice

The casual viewing or trawling of images is strictly forbidden. Viewings must only be undertaken for a specific legitimate purpose. In accordance with the Surveillance Camera Code of Practice (2013), the following 12 guiding principles have been adopted within the Council CCTV system. They are:

1. Purpose of CCTV system

To identify and record incidents of anti-social behaviour at the Stubbs Lane play area, open space, Muga and Community Centre car park.

To act as a deterrent for unacceptable behaviour by siting cameras clearly visible on two roof mounted poles and providing clear signage of the existence and use of CCTV.

Following incidents of unacceptable and/or serious antisocial behaviour, the captured images are to be used to identify the individuals involved and, with the involvement of the Police or PCSO, take appropriate and proportionate action.

2. Privacy

The CCTV poles, and its cameras, will be sited in such a way as to avoid any images of nearby homes and gardens in order to respect the privacy of nearby residents.

The zones covered by the system are the Parish Council's domain of the play area, open space, MUGA and Community Centre car park.

3. Transparency

Signage will be in place at the play area. These signs will contain rules for the use of the open space, MUGA and play area as well as clear notification that Lostock Gralam Parish Council operate a CCTV system covering the area.

Access-Ability UK installed the CCTV system on behalf of the Parish Council. Their contact details can be found below should you need to contact them.

Address: Access-Ability UK Limited, Suite 7, Silk House, Park Green, Macclesfield, Cheshire, SK11 7QJ.

Company Registration No: 3746943

Telephone: 0300 0300 007

The Lostock Gralam Parish Council is responsible for the CCTV system. Any concerns or complaints should be directed to the Parish Clerk.

Address: Lostock Gralam PC, PO Box 768, Northwich, CW9 9TS

Telephone: 07739 926 025

Email: Clerk@lostockgralamparishcouncil.co.uk

4. Responsibility and Accountability.

The CCTV system will be owned and operated by Lostock Gralam Parish Council.

The Clerk to the Council shall have principal access to the CCTV recordings which from time to time will be shared with the Police or PCSO. There will be three other approved users with correlating access rights as per their position, Parish Council Chair, nominated Parish Councillor and the Community Centre Association Chair who will have access in case of emergency or the unavailability of the Clerk.

No other Council Officer, Councillor or Community Centre Association member shall have access to the system or the recorded images.

5. Rules, Policies and Procedures

The authorised operators of the system are the Parish Clerk, Chairman and one other designated Parish Councillor along with the Community Centre Association Chair, who shall receive training in its use by the suppliers of the equipment.

These persons are fully aware of the legal obligations surrounding the use of CCTV (Data Protection Act, Surveillance Camera Code of Practice etc.)

The policies contained in this code of practice have also been communicated to all Councillors who are fully aware of the obligations and limitations of CCTV use and images.

Should there be a need for the authorised operator to have a Security Industry Authority (SIA) licence, then the Council will authorise this.

Periodically, the CCTV system and its operating rules will be audited by the Council to ensure its continued compliance with the SCC guidance.

6. Storage of Images

CCTV images will be continuously recorded and are routinely and automatically deleted after 30 days.

Images required for follow up actions, including disciplinary actions by the Police, shall be retained for as long as necessary. Following such actions, the images will be manually deleted from the Council system and only the files held by the Police will be retained for their Law Enforcement purposes.

A periodic audit of the image recording system and retained image management will be undertaken by the Council to ensure that photographic and film images are routinely deleted when no longer required.

7. Access

Only authorised users will be allowed access to the CCTV system. The Parish Clerk and Chairman have permission to share images with the Police / PCSO or with members of the public who request to see the recorded images of themselves (or minors for whom they're responsible).

Should such a request be made, the Clerk and Chairman are authorised to facilitate accompanied viewing of images relating to a particular incident affecting such individuals. Paper copies of images-(stills or sequential actions)-may be provided in response to a legitimate request by an affected individual.

All other authorised users of the CCTV system can view CCTV footage for the purpose of the CCTV system but cannot share images, facilitate viewings of images or disclose or share their access username and password. The casual viewing or trawling of images is strictly forbidden. Viewings must only be undertaken for a specific legitimate purpose.

Other Council and Community Centre members will NOT be authorised to view any of the retained CCTV images but can observe the routine operation of the system as part of their overview and audit process.

8. Approved Standards

The surveillance equipment purchased by the Council, together with its installation and operation, complies with the standards and requirements of the CCTV Code of Practice.

The principal operators (Clerk to the Council and Chairman) have been trained to the Industry Standard and are regarded as Competent Operators who are fully aware of the obligations and sensitivities of operating such a system.

The system will be periodically examined and maintained by the suppliers in accordance with Industry standards and principles of good practice.

9. Security and Safeguards

The CCTV control unit will be housed in a lockable enclosure. The enclosure/cabinet will be installed in the Community Centre office which is kept locked when not in use.

Remote access will be password protected and limited to the Parish Clerk, Parish Council Chairman and one other designated Parish Councillor.

10. Reviews and Audits

The surveillance system will be reviewed annually and in accordance with Industry standard and general Good Practice.

The Audit will be carried out by Industry specialists and/or Councillors trained in the standards applying to such a system and the requirement of this Code of Practice.

The audit process will review not only its day-to-day operation, but also the security and procedures for access to, and management of, retained images.

The continued need for the system must be critically examined, to ensure it continues to be proportionate and cost effective. The annual review should also evaluate alternative interventions to supplement or replace CCTV.

11. Support of Law Enforcement

The Council are satisfied that the CCTV system shall be installed for legitimate reasons, in response to a pressing need, and be used in the most effective way to support public safety and law enforcement.

The images captured by the system will be invaluable in identifying perpetrators of anti-social behaviour and, with the assistance of our local PCSO / Police be used to take appropriate action including prosecution.

Overview by the Police /PCSO assures us that the system shall provide images of evidential value without enhancement or digital processing.

12. Reference Database

As part of the annual audit, the technical and performance standards of the system are reviewed against improved or changed industry systems and quality standards to ensure our system is reasonably up to date, and continues to meet our needs for evidential images.

The Council doesn't presently use any devices for surveillance (ANPR, body worn video cameras or Drones, but are aware of these technologies and of the additional standards and procedures required for their use.

We do not undertake Covert Surveillance.

Control and operation of CCTV system

Only authorised users for the CCTV equipment shall access the systems operating controls (other than those under supervised training). All use of cameras and control equipment shall be in accordance with the purposes and primary objectives of this policy

Recorded material and still images

All recorded material produced from the Council's CCTV systems remain the property of the Council and are protected by copyright. Recorded material is held for a maximum of 30 days unless retained for evidential or training purposes.

Recorded material shall only be used for the purposes defined in the Policy. Access to recorded material will only take place as defined in this Policy, and by duly authorised users. The release of recorded material to the public will only be allowed in accordance with the law.

Recorded material will only be used in accordance with the primary objectives as set out in this Policy and in accordance with the Data Protection Act 2018 and EU General Data Protection Regulation (2016/679) (GDPR).

Enforcement agency and the use of the Councils CCTV System

Enforcement agencies such as the police have a legal requirement to seize any relevant evidence when investigating a crime and the Council has a duty to comply with their request.

Enforcement agencies are not permitted to trawl the CCTV system on the off chance of detecting a crime or wrong doing. They are required to provide the duly appointed user with a Crime or Incident number or other such proof that they are conducting a legitimate investigation.

Complaints

It is recognised that others may have concerns or complaints about the operation of the CCTV system. Any complaint should be addressed in the first instant to the Clerk. The Parish Councils complaints procedure can be found online at www.lostockgralamparishcouncil.co.uk.

Policy Compliance

Tampering with or misuse of cameras, monitoring or recording equipment, images or recorded data by authorised CCTV users may be regarded as misconduct and could lead to disciplinary action, termination of permission, dismissal or criminal prosecution.

This amended Code of Practice was adopted by the Lostock Gralam Parish Council 10th January 2022

Authorised CCTV User Acceptance of this CCTV Code of Practice

By accepting this CCTV code of practice, you are also agreeing to the terms of the Parish Council Complaints procedure.

Parish ClerkDate.....

Parish Council Chairman.....Date.....

Parish Councillor.....Date

Community Centre Chair.....Date.....