Thurrock Council

CCTV Policy

Version control sheet

Title	CCTV Policy
Purpose	To set out the arrangements in place to ensure CCTV is managed in-line with legislation.
Owner	
Author	Strategic lead – Information Management
Approved by	People Board
Date	24 February 2022
Version number	1
Status	Final
Review frequency	When there are changes to legislation that impact upon CCTV
Next review date	As above

Amendment history / change record

Date	Version	Key changes / sections amended	Amended by
24/02/2022	1.0	This is a new policy	

1. Policy statement

1.1. This policy seeks to ensure that CCTV systems used by the council are operated in compliance with the Data Protection Act 2018. It takes into account best practice as set out in codes of practice issued by the Information Commissioner (ICO) and by the Home Office.

1.2. The council seeks to ensure, as far as reasonably practicable, the safety and security of all individuals that use its premises. The council therefore deploys CCTV to:

- promote a safe environment – for example, staff and/or public safety concerns – and to monitor the safety and security of its premises
- assist in the prevention, investigation and detection of crime
- assist in the apprehension and prosecution of offenders, including use of images as evidence in criminal proceedings

1.3. The council has undertaken an assessment to show its requirement to operate CCTV in its offices/buildings. This can be found at Appendix 1.

2. Scope

2.1. This policy applies to the following main CCTV systems operated by the council:

2.2. Within council housing buildings

2.3. Within the Civic Offices and other corporate Landlord Properties

Note – It is recognised that other service areas may deploy/introduce CCTV as part of their day-to-day functions. For these instances, work will be undertaken to ensure the use of CCTV complies with this policy and/or the Home Office Code of Practice.

2.4. This policy applies to all council staff, council members and visitors.

3. Roles and responsibilities

3.1. Responsibilities for CCTV systems (including camera specifications for new installations), to ensure it complies with the law and best practice referred to in 1.1 of this policy is detailed below:

- **CCTV systems used on/within council housing buildings** – the Concierge CCTV Manager is responsible
- **CCTV systems operated at the Civic Offices and other council premises** – the Business Operations Manager is responsible

3.2. Changes in the use of council's CCTV system can be implemented only in consultation with the Data Protection Officer.

4. System description

4.1. CCTV cameras are not installed in areas in which individuals would have an expectation of privacy, such as toilets. Cameras are only located so that they capture images relevant to the purpose the system was set up for. No covert recording is undertaken. No audio is recorded.

4.2. CCTV cameras are installed in such a way that they are not hidden from view. Signs are prominently displayed near the cameras, so that staff, visitors and contractors are made aware that they are entering an area covered by CCTV. The signs include contact details of the Data Protection Officer, as well as a statement of purposes for the use of CCTV.

5. Operating standards – equipment and access

5.1. All images are stored on secure council servers with access on a strictly need to know basis only.

5.2. Any request to view CCTV images are authorised by the Data Protection Team. CCTV viewing requests forms are in place to facilitate this.

5.3. Images produced by the recording equipment must be as clear as possible, so they are effective for the purpose for which they are intended to be used. The standards to be met (in line with the codes of practice referred to in 1.1) are set out below:

- recording features such as the location of the camera, date and time reference must be accurate and maintained
- consideration must be given to the physical conditions in which the cameras are located – that is, additional lighting or infrared equipment may be needed in poorly lit areas
- cameras must be properly maintained and serviced to ensure that clear images are recorded, and a log of all maintenance activities kept

6. Retention and disposal

6.1. CCTV images are not to be retained for longer than necessary, taking into account the purposes for which they are being processed. Data storage is automatically managed by the CCTV digital records, which overwrite historical data in chronological order to produce a 30-day rotation in data retention.

6.2. If there is a legitimate reason for retaining the CCTV images, the footage or still frames can be isolated and saved to a separate location. Any saved images or footage will be deleted once they are no longer needed for the purpose for which they were saved.

6.3. All retained CCTV images will be stored securely.

7. Data subjects' rights

7.1. Recorded images, if sufficiently clear, are considered to be the personal data of the individuals whose images have been recorded by the CCTV system.

7.2. Data subjects have a right to access to their personal data under the data protection legislation. They also have other rights, in certain circumstances, including the right to have their data erased, rectified, and to restrict processing and object to processing. They can ask to exercise these rights by emailing the Data Protection Team at information.matters@thurrock.gov.uk

7.3. On receipt of a request – which needs to include the date and approximate time of the recording – the Data Protection Team will liaise with the Concierge CCTV Manager or the Business Operations Manager regarding compliance with the request and communicate the

decision to the data subject. This should be done without undue delay and at the latest within one month of receiving the request unless an extension of the period is justified.

7.4. If a request is to view footage, and the footage only contains the individual concerned, then the individual may view the footage. The authorised person accessing the footage must ensure that the footage available for viewing is restricted to the footage containing only the individual concerned.

7.5. If the footage requested contains images of other people, the Data Protection Team must consider either:

- whether the images of the other people need to be distorted so as not to identify them
- seeking consent from the third-parties to their images being disclosed to the requester
- if these options are not possible, whether it is reasonable in the circumstances to disclose the images to the individual making the request in any case

7.6. The Data Protection Team will keep a record of CCTV disclosures that sets out:

- when the request was made and by whom
- what factors were considered in deciding whether to allow access to any third-party images
- whether the requester was permitted to view the footage, or if a copy of the images was provided, and in what format

Requesters are entitled to a copy in permanent form. If a permanent copy is requested, this should be provided unless it is not possible to do so, or it would involve disproportionate effort.

8. Third-party access

8.1. 8.1. Third-party requests for access will usually only be considered, in line with the Data Protection legislation, in the following categories:

- from a legal representative of the data subject – a letter of authorisation signed by the data subject would be required
- from law enforcement agencies including the police
- disclosure required by law or made in connection with legal proceedings
- HR staff responsible for disciplinary and complaints investigations – if the use is in-line with 1.2 of the policy – and related proceedings
- staff employed by our contractors responsible for disciplinary matters, complaints investigation, and related proceedings concerning their own staff, if the use is in-line with 1.2 of the policy

9. Complaint procedure

9.1. Any complaints relating to the CCTV system should be directed in writing to complaints@thurrock.gov.uk or via post to:

Complaints Team, Thurrock Council, Civic Offices, New Road, Grays, RM17 6SL

Appendix 1 – the requirement to operate CCTV

Questions and answers:

- **Why do we want to process the data – what are we trying to achieve?**

  CCTV is operated in the building primarily for security and safety reasons, to protect staff, visitors and our premises. Occasionally, CCTV images may also be used in HR disciplinary investigations involving our own staff or staff of our contractors, however this only be used in relation to the purposes listed in 1.2 of the policy

- **Who benefits from the processing? In what way?**

  The primary beneficiaries are our staff and visitors, by enabling them to be secure whilst working and/or visiting our buildings. The presence of the CCTV will also help to give a perception of security and safety.

- **Are there any wider public benefits to the processing?**

  Yes, in that the processing helps to ensure the safety of anyone visiting the building, and in helping to keep the building secure. This adds to the overall security arrangements the council have in place to ensure security of personal data held.

- **How important are those benefits?**

  They are important in ensuring the safety and wellbeing of staff and visitors, and giving reassurance to those people that their safety is a priority. It is also important to help protect the building.

- **What would the impact be if we could not go ahead?**

  Safety and security within the building would be reduced. Business continuity and security of personal data may be compromised. We may not be able to prove allegations made against staff and/or visitors without CCTV evidence.

- **Would our use of the data be unethical or unlawful in any way?**

  No, our use of CCTV complies with the ICO's CCTV code of practice (2017) and the Home Office's 12 guiding principles in its Surveillance Camera Code of Practice (2013).

- **Is there another less intrusive way to achieve the same result?**

  No, there is no alternative to achieving the same result.

- **Would people expect us to use their data in this way?**

  Yes, we display notices as appropriate, and such systems are common in buildings.

- **Are we happy to explain it to them?**

  Yes, we include information on our use of CCTV in our privacy notices, and we have a CCTV Policy.

- **What is the possible impact on the individual?**

  The impact on the individual is only likely to be beneficial unless they have done something wrong, such as displaying aggressive behaviour, while being filmed. It can be helpful to review footage if an accident has happened.

- **How big an impact might it have on them?**

  Under normal circumstances, the impact is likely to be very small. It will only have a significant impact if the person filmed has done something wrong (see above), they are an intruder or someone else has acted inappropriately towards them.

- **Are we processing children's data?**

  No, unless they visit the office.

- **Are any of the individuals vulnerable in any other way?**

  No. Any vulnerability should not be affected by the operation of the CCTV