



Adopted: 26 July 2022
Reviewed: 12 July 2023
Next Review: July 2024

CLOSED CIRCUIT TV (CCTV) POLICY

West Mersea Town Council believes that CCTV and other surveillance systems have a legitimate role to play in helping to maintain a safe and secure environment for all of its staff and visitors. However, West Mersea Town Council recognises that this may raise concerns about the effect on individuals and their privacy. This CCTV Policy is intended to address such concerns. Images recorded by surveillance systems are Personal Data which must be processed in accordance with data protection laws. West Mersea Town Council is committed to complying with its legal obligations and ensuring that the legal rights of staff, relating to their Personal Data, are recognised and respected.

This policy is intended to assist West Mersea Town Council staff in complying with their own legal obligations when working with Personal Data. In certain circumstances, misuse of information generated by CCTV or other surveillance systems could constitute a criminal offence.

Definitions

For the purposes of this CCTV Policy, the following terms have the following meanings:

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

Data: means 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 screen shots.

Data Controllers: means those people who, or organisations which, determine the manner in which any Personal Data is processed. They are responsible for establishing practices and policies to ensure compliance with the applicable law. West Mersea Town Council is the Data Controller of all Personal Data used in West Mersea Town Council operations for West Mersea Town Council own purposes.

Data Processors: means any person or organisation that is not a Data User (or other employee of a Data Controller) that Processes Personal Data on West Mersea Town Council behalf and in accordance with West Mersea Town Council instructions (for example, a supplier which handles Personal Data on West Mersea Town Council's behalf).

Data Subjects: means all living individuals about whom holds Personal Data as a result of the operation of its CCTV.

Data Users: means those West Mersea Town Council employees whose work involves the Processing of Personal Data. This will include those whose duties are to operate CCTV cameras and other surveillance systems to record, monitor, store, retrieve and delete images. Data Users must protect the Personal Data they handle in accordance with this CCTV Policy and West Mersea Town Council Privacy Policy.

Personal Data: means data relating to a living individual who can be identified Privacy Policy from that data (or other data in West Mersea Town Council's possession). This will include video images of identifiable individuals.

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

Surveillance Systems: means any devices or systems designed to monitor or record images of individuals or information relating to individuals. The term includes CCTV systems as well as any technology that may be introduced in the future such as automatic number plate recognition (ANPR), body worn cameras, unmanned aerial systems and any other systems that capture information of identifiable individuals or information relating to identifiable individuals.

About this policy

West Mersea Town Council currently uses CCTV cameras to view and record individuals on and around its premises. This CCTV Policy outlines why West Mersea Town Council uses CCTV, how the Council will use CCTV and how the Council will process Personal Data recorded by CCTV cameras, to ensure that West Mersea Town Council is compliant with data protection law and best practice. This CCTV Policy also explains how to make a subject access request in respect of Personal Data created by CCTV. West Mersea Town Council recognises that Personal Data that the Council holds about individuals is subject to data protection legislation. The images of individuals recorded by CCTV cameras in the workplace are Personal Data and therefore subject to the legislation governing data protection, including the General Data Protection Regulation (GDPR).

This CCTV Policy covers all employees, Councillors, contractors, freelancers, volunteers, agency workers and may also be relevant to visiting members of the public.

This policy is non-contractual and does not form part of the terms and conditions of any employment or other contract. West Mersea Town Council may amend this policy at any time. The policy will be regularly reviewed by West Mersea Town Council to ensure that it meets legal requirements.

Personnel responsible

The Council has 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 will be the responsibility of the Council. Day-to-day operational responsibility for CCTV cameras and the storage of data recorded is also the responsibility of the Council.

Reasons for the use of CCTV

West Mersea Town Council currently uses CCTV as outlined below. West Mersea Town Council believes that such use is necessary for legitimate business purposes, including:

- a) to prevent crime, disruption, and vandalism;
- b) to protect buildings and assets;
- c) to assist in the protection of customers and employees personal data;
- d) to ensure the personal safety of staff, visitors and other members of the public;
- e) to support law enforcement bodies in the prevention, detection and prosecution of crime;
- f) to assist in day-to-day management, including ensuring the health and safety of staff and others; and
- g) to assist in the effective resolution of issues with respect to disciplinary or grievance proceedings.

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

Monitoring

CCTV monitoring may vary from time to time. This data is continuously recorded 24 hours a day and stored for a maximum of 28 days.

Camera locations are chosen to minimise viewing of spaces not relevant to the legitimate purpose of the monitoring. Images are monitored by authorised personnel only, namely; the officers of the Council. This monitoring is undertaken when required, not as a standard daily function. Staff using surveillance systems will be given appropriate training to ensure they understand and observe the legal requirements related to the processing of relevant data.

Although the video cameras are primarily in place for security the Council reserves the right to use such data for disciplinary and grievance purposes. If disciplinary action results from information gathered through CCTV monitoring, the employee will be given the opportunity to see or hear the information in advance of the disciplinary meeting and make representations about it. The Council will ensure data collected through monitoring is kept secure, and access is limited to authorised individuals only.

How West Mersea Town Council will operate any CCTV

Where CCTV cameras are placed in the workplace, West Mersea Town Council 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 for using the surveillance system and who to contact for further information, where these things are not obvious to those being monitored.

West Mersea Town Council 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.

Use of data gathered by CCTV

In order to ensure that the rights of individuals recorded by the CCTV system are protected, West Mersea Town Council will ensure that Personal Data gathered from CCTV cameras is stored in a way that maintains its integrity and security.

Given the large amount of Personal Data generated by surveillance systems, West Mersea Town Council may choose to store video footage using a cloud computing system. West Mersea Town Council will take all reasonable steps to ensure that any cloud service provider maintains the security of our information, in accordance with industry standards. West Mersea Town Council may engage Data Processors to process Personal Data on our behalf. West Mersea Town Council will ensure reasonable contractual safeguards are in place to protect the security and integrity of the data.

Retention and erasure of data gathered by CCTV

Personal Data recorded by the CCTV system is currently stored on a DVR recorder. Personal Data from CCTV cameras will not be retained indefinitely but will be permanently deleted once there is no reason to retain the recorded information. Exactly how long images will be retained for will vary according to the purpose for which they are being recorded. For example, where images have been recorded and relate to criminal activity, health and safety or grievance/disciplinary matters, the data will be kept long enough for incidents to be dealt with. In all other cases, recorded images will be kept for no longer than 28 days.

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.

Use of additional surveillance systems

Prior to introducing any new surveillance system, including placing a new CCTV camera in any workplace location, West Mersea Town Council carefully consider if they are appropriate by carrying out a privacy impact assessment (PIA).

A PIA is intended to assist West Mersea Town Council in deciding whether new surveillance cameras are necessary and proportionate in the circumstances and whether they should be used at all or whether any limitations should be placed on their use. Any PIA will consider the nature of the problem that West Mersea Town Council is 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, West Mersea Town Council will consider the effect a surveillance camera will have on individuals and therefore whether its use is a proportionate response to the problem identified.

No surveillance cameras will be placed in areas where there is an expectation of privacy (for example, toilets). West Mersea Town Council will provide areas where staff can speak or make calls in privacy if required.

Ongoing review of CCTV use

West Mersea Town Council 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.

Subject access requests

Data Subjects may make a request for disclosure of their Personal Data and this may include CCTV images (data subject access request). A data subject access request is subject to the statutory conditions from time to time and should be made in writing to the Town Clerk.

In order for West Mersea Town Council to locate relevant footage, any requests for copies of recorded CCTV images should include the date and time of the recording, the location where the footage was captured and, if necessary, information identifying the individual.

West Mersea Town Council reserves the right to obscure images of third parties when disclosing CCTV data as part of a subject access request, where it considers it necessary to do so.

Complaints

If any member of staff has questions, complaints or concerns about our use of CCTV, then they should speak to the Town Clerk.