



## Brixham Town Council CCTV Policy

### 1. Introduction including Data Protection Principles

This Policy is to control the management, operation, use and confidentiality of the CCTV system operating in the Brixham Town Council office located within the Town Hall complex and car park area.

It has been prepared in line with guidance and information contained in the 'CCTV Code of Practice' published by the Information Commissioner's Office (revised 2008 edition). This policy will be subject to periodic review by the Town Council in order to ensure that it continues to reflect public interest and meets all legislative requirements.

Brixham Town Council accepts the data protection principles based on the Data Protection Act 1998 as follows:

- Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless;
  - (a) at least one of the conditions in Schedule 2 of the DPA 1998 is met and,
  - (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 of the DPA 1998 is also met.
- Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
- Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
- Personal data shall be accurate and, where necessary, kept up to date.
- Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes
- Personal data shall be processed in accordance with the rights of data subjects under this Act
- Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
- Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

### 2. Statement of Purpose

To provide a safe and secure environment for the benefit of those who might visit, work or live in the area. The system will not be used to invade the privacy of any individual, except when carried out in accordance with the law.

The scheme will be used for the following purposes:

- to reduce the vandalism of property and to prevent, deter and detect crime and disorder

- to reduce the fear of crime by persons using Town Council facilities, thereby allowing them to enter and leave the Town Hall complex without fear of intimidation by individuals or groups
- to assist the police, the Town Council and other Law Enforcement Agencies with identification, detection, apprehension and prosecution of offenders by examining and using retrievable evidence relating to crime, public order or contravention of bye-laws
- to deter potential offenders by publicly displaying the existence of CCTV, having cameras clearly sited that are not hidden and signs on display in areas being monitored.
- to assist all “emergency services” to carry out their lawful duties

### **3. Changes to the Purpose or Policy**

A major change that would have a significant impact on either the purpose or this policy of operation of the CCTV scheme will take place only after discussion and resolution at full Council meeting.

### **4. Responsibilities of the Owners of the Scheme**

The elected Town Council retains overall responsibility for the scheme.

# **Brixham Town Council CCTV Code of Practice**

## **Management of the System**

Day-to-day operational responsibility rests with the Town Clerk and in their absence the Deputy Town Clerk.

Any breaches of this policy will be investigated by the Town Clerk and reported to the Town Council.

A CCTV system prevents crime largely by increasing the risk of detection and prosecution of an offender. Any relevant tape or digital evidence must be in an acceptable format for use at Court hearings. This policy must be read and understood by all persons involved in this scheme and individual copies of this policy will therefore be issued for retention. A copy will also be available for reference in the secure recording areas.

## **Control and Operation of the Cameras, Monitors and Systems.**

**The following points must be understood and strictly observed by operators:**

1. Operators must act with integrity and not abuse the equipment or change the pre-set criteria to compromise the privacy of an individual.
2. The position of cameras and monitors have been agreed following consultation with the Town Council and security consultants in order to comply with the needs of the public.
3. No public access will be allowed to the monitors except for lawful, proper and sufficient reason, with prior approval of the Town Clerk. The Police are permitted access to tapes and prints if they have reason to believe that such access is necessary to investigate, detect or prevent crime. The Police are able to visit the Town Council office to review and confirm the Town Council's operation of CCTV arrangements. Any visit by the Police to view images will be logged by the operator.
4. Operators should check the accuracy of the date/time displayed on a monthly basis.
5. Digital records should be securely stored to comply with data protection and should only be handled by the essentially minimum number of persons. Digital images will be automatically erased after a period of 31 days.
6. Images will not normally be supplied to the media, except on the advice of the police if it is deemed to be in the public interest. The Town Clerk would inform the Council Chairperson of any such emergency.
7. As records may be required as evidence at Court, each person handling a digital record may be required to make a statement to a police officer and sign an exhibit label. Any images that are handed to a police officer should be signed for by the police officer and information logged to identify the recording, and showing the

officer's name and police station. The log should also show when such information is returned to the Town Council by the police and the outcome of its use.

8. Any event that requires checking of recorded data should be clearly detailed in the log book of incidents, including Crime Nos. if appropriate. See Appendix A.
9. Any damage to equipment or malfunction discovered by an operator should be reported immediately to the Town Clerk. The company responsible for maintenance should also be contacted and the call logged advising details of the outcome. When completed, any repair to the system should be logged showing the date and time of completion.
10. Any request by an individual member of the public for access to their own recorded image must be made on an 'Access Request Form' and is subject to a standard fee of £10.00. Forms are available from the Town Council Office and will be submitted to the next meeting of the Town Council for consideration and reply, normally within 10 working days. (see Appendix B).
11. If images of third parties are included with the images of the person who has made the access request, consideration will be given to whether the release of these images would involve an unfair intrusion into the privacy of the third party. If necessary, arrangements will be made to disguise or blur the images in question, this work may need to be contracted out to another organisation.

### **Accountability**

Copies of the CCTV Policy are available in accordance with the Freedom of Information Act, as are any reports that are submitted to the Town Council *providing it does not breach security needs*.

Any written concerns, complaints or compliments regarding the use of the system will be considered by the Town Council, in line with the existing complaints policy.

Brixham Town Council has considered the need for using CCTV and has resolved that it is required for the prevention and detection of crime and for protecting the safety of members of the public. It will not be used for other purposes.

Brixham Town Council will conduct a bi-annual review of the use of the CCTV system, See Appendix C.

### **To be completed by those authorised to monitor the CCTV system:**

*I have read the above policy and agree to abide by these instructions.*

Signed ..... Print Name .....

Date ...../...../.....

**(Operators are issued with their own copy of this policy and shall sign to confirm receipt and compliance.)**

**Adopted by Full Council on  
Reviewed:**

**Brixham Town Council  
Log of CCTV Incidents**

Details of Offence	Date & Time Committed	Location	Name/Address of any Witnesses	Action taken (including Crime Ref. No.)	Reported by	Date/Time	CCTV Checked By/Result/Action



## APPENDIX C

### Brixham Town Council

#### CCTV System Annual Review

The CCTV system and images produced by it are controlled by Brixham Town Council. The Council is responsible for notifying the Information Commissioner of the existence of the CCTV system and its purpose (which is a legal requirement of the Data Protection Act 1998).

Brixham Town Council has considered the need for a CCTV system and has resolved on the installation of such a system to assist with the prevention and detection of crime and for protecting the safety of members of the public; it will not be used for any other purpose. The Town Council conducts a bi-annual review of the use of the CCTV system, details as follows;

<b>CHECK</b>	<b>Checked (Date)</b>	<b>By</b>	<b>Date of next review</b>
Notification has been submitted to the Information Commissioner and the next renewal date recorded.			
There is at least one named individual who is responsible for the operation of the system.			
A system has been chosen that produces clear images and which law enforcement bodies (usually the police) can use to investigate crime. These images can easily be taken from the system.			
Cameras have been sited so that they provide clear images.			
Cameras have been positioned to avoid capturing the images of persons not visiting the Town Hall complex and car park.			
There are visible signs showing that CCTV is in operation. Where it is not obvious who is responsible for the system, contact details are displayed on the sign(s).			
Images from this CCTV system are securely stored, where only a limited number of authorised persons may have access to them.			
The recorded images will only be retained long enough for any incident to come to light (e.g. for a theft to be noticed) and the incident to be investigated.			

<p>Except for law enforcement bodies, images will not be provided to third parties.</p>			
<p>The Town Council knows how to respond to individuals making requests for copies of their own images. If unsure, the operator/s knows to seek advice from the Information Commissioner as soon as such a request is made.</p>			
<p>Regular checks are carried out to ensure that the system is working properly and produces high quality images.</p>			