

# **KINGSBRIDGE TOWN COUNCIL**

## **Code of Practice**

### **For the Management and Operation Of the Kingsbridge Town Council Closed Circuit Television (CCTV) System**

**Revised December 2024**

## 1. Introduction

The purpose of this Code of Practice is to control the management and operation of the CCTV cameras at 6 public locations in Kingsbridge termed the Kingsbridge Town Council Closed Circuit Television System (CCTV system).

It has been prepared after taking due account of the Home Office's Surveillance Camera Code of Practice dated November 2021 and is registered with the Information Commissioner's Office (registration reference Z6325518).

This code will be subject to annual review by Kingsbridge Town Council to ensure it stands up to scrutiny, continues to reflect the public interest and the CCTV system meets all legislative requirements.

Kingsbridge Town Council accepts the data protection principles based on:

a. The Data Protection Act 2018, Protection of Freedoms Act 2012 and General Data Protection Regulation as follows:

- Personal data shall be processed fairly and lawfully.
- 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.

b. Home Office guidelines:

- Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.
- The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.
- There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.

- There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.
- Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.
- No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.
- Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.
- Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
- Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
- There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.
- When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.
- Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

## **2. Statement of Purpose**

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

The objectives of the CCTV system as determined by Kingsbridge Town Council which form the lawful basis for the processing of data are:

- to help reduce the fear of crime
- to help deter crime
- to help detect crime
- to assist the Police with identification, detection, apprehension and prosecution of offenders and to provide evidential material for court proceedings relating to crime and public order

- To enhance community safety, assist in developing the economic well being of the town and encourage greater use of the area and its amenities.

### **3. Responsibilities of the Owners of the CCTV System**

The owner, data controller and system manager is Kingsbridge Town Council.

The Town Clerk has responsibility for the CCTV system's day-to-day management, operator training, liaison with Sound & Visual Systems Limited for operational support, and liaison with Devon & Cornwall Police to realise the objectives at paragraph 2.

### **5. Management of the CCTV System**

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

This Code of Practice must be read and understood by all persons involved in this scheme and individual copies of this policy will therefore be issued for retention. Copies will also be available for reference in the recording area.

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

- Only Members and Staff of Kingsbridge Town Council and officers of Devon & Cornwall Police may operate the CCTV system.
- Trained operators must act with due probity and not abuse the equipment or change the pre-set criteria to compromise the privacy of an individual.
- The position of cameras and monitors has been agreed following consultation with the Police and security consultants in order to comply with the needs of the public.
- No public access will be allowed to the CCTV system. The Police are permitted access to CCTV footage, DVDs, USB devices, prints and secure GoodSAM video sharing if they have reason to believe that such access is necessary to investigate, detect or prevent crime. The Police are able to visit the Council Offices unaccompanied.
- As records may be required as evidence at Court, each person handling a digital record is likely to be required to make a statement to a Police officer and sign an exhibit label. Any CCTV footage which is handed to the Police should be recorded in a log to identify the recording and showing the officer's name.
- Operators should regularly check the accuracy of the date/time displayed.
- Digital records will be securely stored to comply with data protection and will only be handled by the minimum number of persons. Digital images will be automatically erased after a period of 30 days at the Council Offices.
- Images will only be supplied to the media, on the advice of the Police if it is deemed to be in the public interest. The Town Clerk will inform the full Council of such action.
- Any malfunction or damage to equipment discovered by an operator will be reported immediately to the Town Clerk for liaison with Sound & Visual

Systems Limited maintenance and the call logged showing the outcome. When a repair has been made this should also be logged showing the date and time of completion.

- Any request by a member of the public for access to their own recorded image must be made on an 'Access Request Form for CCTV Images' and is subject to a standard fee which is currently set at £10.00. Forms are available from the Council Offices and will be submitted to the next meeting of the Town Council for consideration and reply, normally within 30 days (**see Appendix 1**).

## **7. Accountability**

- Copies of this Code of Practice are available in accordance with the Freedom of Information Act, as will any reports that are submitted to the full council providing they do not breach security needs.
- The Police will be informed of the CCTV system installation and provided with a copy of this Code of Practice.
- Any written concerns or complaints regarding the use of the CCTV system will be considered by Kingsbridge Town Council in line with its existing complaints policy.
- CCTV system operators should appraise themselves with this Code of Practice.
- Kingsbridge Town Council has considered the need for using CCTV and has resolved it is required for the prevention and detection of crime and for protecting the safety of the public. It will not be used for other purposes.
- Kingsbridge Town Council will conduct an annual review of its use of CCTV (**see Appendix 2**).

Appendixes:

1. Access Request Form for CCTV Images.
2. CCTV System Annual Review.

**THIS CODE OF PRACTICE MUST BE COMPLIED WITH AT ALL TIMES**

# Appendix 1

Code of Practice for the Management and Operation of the Kingsbridge Town Council Closed Circuit Television (CCTV) System

## Access Request Form for CCTV Images

The following notes explain how you can find out what information, if any, is held about you on the CCTV System

### Your Rights

Subject to certain exemptions you have a right to be informed whether any personal data is held about you. You also have a right to a copy of that information in a permanent form except where the supply of such a copy is not possible or would involve disproportionate effort. Kingsbridge Town Council will only provide information if it is satisfied as to your identity. If release of the information will disclose information relating to another individual(s) who can be identified from that information the authority is not obliged to comply with an access request unless:

- the other person has consented to the disclosure of information, or
- it is reasonable in all the circumstances to comply with the request without the consent of the other individual(s).

### Kingsbridge Town Council Rights

Kingsbridge Town Council may deny access to information where the Data Protection Act allows. The main exemptions relate to information held for:

- the prevention and detection of crime, and
- the apprehension and prosecution of offenders

and giving you this information may be likely to prejudice either of these purposes.

### Fee

A fee of £10.00 is payable for each access request to cover administration costs via online banking to "Kingsbridge Town Council", sort code 20-60-99, account number 10732087.

**The Application Form** (All sections must be completed. Failure to do so may delay your application.)

**Section 1** Asks you to provide information about yourself which will help the authority confirm your identity. Kingsbridge Town Council has a duty to ensure that information it holds is secure and it must be satisfied that you are who you say you are.

**Section 2** Asks you to provide evidence of your identity by producing 2 documents (which between them show your name, date of birth and current address) together with a full face photograph of you to aid identification.

**Section 3** Asks you to confirm whether you will accept just viewing the information or if you want a copy of the information.

**Section 4** Asks you to provide information which will help the authority find the CCTV images, if any, and whether it may be disclosed to you.

**Section 5** You must sign the declaration.

When you have completed this form take or send it together with the required 2 identification documents, photograph and fee to:

The Town Clerk, Kingsbridge Town Council, Quay House, Ilbert Road, Kingsbridge, TQ7 1DZ

**If you have any queries regarding this form, or your application, please contact the Town Clerk on 01548.853296.**

### Section 1: About yourself

Title	
First name	
Surname	
Height	
Date of birth	
Home address (to which Kingsbridge Town Council will reply)	
Postcode	
Telephone number	
Email	

### Section 2: Proof of identity

To help establish your identity your application must be accompanied by TWO documents that between them clearly show your name, date of birth and current address provided above.

For example: a driving licence, medical card, passport or utility bill

Also: a recent full face photograph of yourself

### Section 3: Supply of information

You have a right, subject to certain exceptions, to receive a copy of the information in a permanent form. Do you wish to:

- |   |        |
|---|--------|
| a. View the information and receive a permanent copy: | Yes/No |
| b. Only view the information:                         | Yes/No |

### Section 4: To Help us find the information

Please provide the reason(s) for your request.

Were you:

A person reporting an offence or incident: Yes/No

A witness to an offence or incident: Yes/No

A victim of an offence: Yes/No

A person accused or convicted of an offence: Yes/No

Other – please explain:



Date(s) and time(s) of the incident:

Place the incident happened:

Brief details of the incident/your involvement:

Any further information e.g. description, distinguishing features, clothing, vehicle registration:

(Continue on a separate sheet if necessary)

**Section 5: Declaration**

The information I have supplied in this application is correct and I am the person to whom it relates (or parent/carer if under 18)

Signed..... Date.....

**OFFICIAL USE ONLY**

Date received:

Fee paid:

Checked by Town Clerk:

Request approved by Full Council:

Date applicant informed:

# Appendix 2

Code of Practice for the Management and Operation of the Kingsbridge Town Council Closed Circuit Television (CCTV) System

## Annual Review

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

We Kingsbridge Town Council have considered the need for using CCTV and have decided it is required for the prevention and detection of crime and for protecting the safety of the community. It will not be used for other purposes. We conduct an annual review of our use of CCTV as detailed below.

	Checked (date)	By	Date of next review
Notification has been submitted to the Information Commissioner and the next renewal date recorded.			
There is a named individual who is responsible for the operation of the system.			
The problem we are trying to address has been clearly defined and installing cameras is the best solution. This decision should be reviewed on a regular basis.			
A system has been chosen which produces clear images which the law enforcement bodies (usually the Police) can use to investigate crime and these can easily be taken from the system when required.			
Cameras have been sited so that they provide clear images.			
Cameras have been positioned to avoid capturing the images of persons not visiting the premises.			
There are visible signs showing that CCTV is in operation which display contact details for who is responsible for the system.			
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.			
Except for law enforcement bodies, images will not be provided to third parties.			
The potential impact on individuals' privacy has been identified and taken into account in the use of the system.			
The organisation knows how to respond to individuals making requests for copies of their own images. If unsure the controller knows to seek advice from the Information Commissioner as soon as such a request is made.			
Regular checks are carried out to ensure that the system is working properly and produces high quality images.			