



TODMORDEN TOWN COUNCIL

Pavilion and Bandstand, Centre Vale Park CCTV Policy

1. Purpose

1.1 The Purpose of this policy is to regulate the management, operation and use of the CCTV system (Closed Circuit Television) at Todmorden Town Council, hereafter referred to as 'the Town Council'.

1.2 CCTV systems are installed externally in premises for the purpose of enhancing security of the buildings and its associated equipment as well as creating a mindfulness among the occupants, at any one time, that a surveillance security system is in operation within and/or in the external environs of the premises during both the daylight and night hours each day. CCTV surveillance at the Town Council is intended for the purposes of:

- protecting Town Council buildings and assets, both during and after working hours;
- promoting the health and safety of staff and visitors
- preventing bullying and/or intimidation by individuals and/or groups;
- reducing the incidence of crime and anti-social behaviour (including theft and vandalism);
- increasing personal safety of staff, tenants and visitors to the Bandstand or Pavilion
- supporting the police in a bid to deter and detect crime;
- assisting in identifying, apprehending and prosecuting offenders;
- to comply with conditions specified in the Bandstand Premises License; and
- ensuring that the Town Council rules are respected so that the Town Council can be properly managed.

1.3 The system does not have sound recording capability.

1.4 The CCTV system is owned and operated by the Town Council, the deployment of which is determined by Town Council Councillors.

1.5 The introduction of, or changes to, CCTV monitoring will be subject to consultation with the Town Council Councillors

1.6 The Town Council's CCTV is registered with the Information Commissioner under the requirements of the Data Protection Act 2018 and the General Data Protection Regulation (GDPR) 2016/679.

1.7 Councillors will not have access to the CCTV footage

1.8 All authorised operators with access to images are aware of the procedures that need to be followed when accessing the recorded images. All operators are made aware of their responsibilities in following the CCTV Code of Practice. All Councillors are aware of the restrictions in relation to access to, and disclosure of recorded images.

1.9 The Town Clerk's operational role is that of the data controller representative, the Council's role is of collective governance (e.g., policy approval). The Council employs an external company to do 24/7 monitoring.

2. Scope

2.1 This policy relates directly to the location and use of CCTV and the monitoring, recording and subsequent use of such recorded material. The Town Council complies with the Information Commissioner's Office (ICO) CCTV Code of Practice to ensure it is used responsibly and safeguards both trust and confidence in its use.

2.2 CCTV warning signs will be clearly and prominently placed at main external entrances. Signs will contain details of the purpose for using CCTV. In areas where CCTV is used, the Town Council will ensure that there are prominent signs placed within the controlled area.

2.3 The Town Council have endeavoured to ensure that the system will give maximum effectiveness and efficiency, but it is not guaranteed that the system will cover or detect every single incident taking place in the areas of coverage.

2.4 CCTV monitoring of public areas for security purposes will be conducted in a manner consistent with all existing policies adopted by the Town Council, including Equality & Diversity Policy, Codes of Practice for dealing with complaints of Bullying & Harassment and Sexual Harassment and other relevant policies, including the provisions set down in equality and other related legislation.

2.5 This policy prohibits monitoring based on the characteristics and classifications contained in equality and other related legislation e.g. race, gender, sexual orientation, national origin, disability etc.

2.6 Video monitoring of public areas for security purposes within Town Council premises is limited to uses that do not violate the individual's reasonable expectation to privacy.

2.7 All CCTV systems and associated equipment will be required to be compliant with this policy following its adoption by the Town Council. Recognisable images captured by CCTV systems are 'personal data'. They are therefore subject to the provisions of the General Data Protection Regulation and Data Protection Act 2018.

2.8 Todmorden Town Council is the Data Controller for all CCTV data. Any third-party maintenance providers operate as Data Processors under a written agreement ensuring compliance with this policy and data protection legislation

3. Location of Cameras

3.1 The cameras are sited so that they only capture images relevant to the purposes for which they have been installed (as described above), and care will be taken to ensure that reasonable privacy expectations are not violated. The Town Council will ensure that the location of equipment is carefully considered to ensure that the images captured comply with the legislation.

3.2 The Town Council will make every effort to position the cameras so that their coverage is restricted to Town Council premises, which may include both indoor and outdoor areas.

3.3 Town Council Officers and Councillors will have access to details of where CCTV cameras are situated, with the exception of cameras placed for the purpose of covert monitoring.

3.4 CCTV Video Monitoring and Recording of Public Areas may include the following:

- Protection of buildings and property: The building's perimeter, entrances and exits.
- Verification of Security Alarms: Intrusion alarms, and external alarms
- Criminal Investigations (carried out by the police): Robbery, burglary and theft surveillance.

3.5 Todmorden Town Council will maintain an Access Control Register or specify that permissions are reviewed annually or when staff change roles.

4. Covert Monitoring

4.1 The Town Council retains the right in specific exceptional circumstances to set up covert monitoring in line with RIPA (Regulation of Investigatory Powers Act 2000) For example:

- Where there is good cause to suspect that an illegal or serious unauthorised action(s), is taking place, or where there are grounds to suspect serious misconduct;
- Where notifying the individuals about the monitoring would seriously prejudice the reason for making the recording.

4.2 Covert Monitoring will cease following completion of an investigation.

4.3 Cameras sited for the purpose of covert monitoring will not be used in areas which are reasonably expected to be private, for example, toilets.

5. Storage and retention of CCTV images

5.1 Recorded data will not be retained for longer than 31 days except where the image identifies an issue and is retained specifically in the context of an investigation/prosecution of that issue.

5.2 Where data is retained for longer than 31 days an electronic file held on a secure central server where specific CCTV image/recordings are retained will be kept.

5.3 The Data Protection Act and GDPR does not prescribe any specific minimum or maximum retention periods that apply to all systems or footage. Therefore, retention will reflect the Town Council's purposes for recording information, and how long it is needed to achieve this purpose.

5.4 The Town Council will store data securely at all times.

6. Access to CCTV images

6.1 Access to recorded images will be restricted to authorised personnel to view them and will not be made widely available. Supervising the access and maintenance of the CCTV System is the responsibility of the Town Clerk. When CCTV recordings are being viewed, access will be limited to authorised individuals on a need-to-know basis.

7. Subject Access Requests (SAR)

7.1 Individuals have the right to request CCTV footage relating to themselves under the Data Protection Act and the GDPR.

7.2 All requests should be made in writing to the Town Clerk who can be contacted by email to townclerk@todmorden-tc.gov.uk Individuals submitting requests for access will be asked to provide sufficient information to enable footage relating to them to be identified. For example: time, date and location.

7.3 Where feasible and lawful, the Council may provide a copy of footage relating to the requestor, ensuring third-party data is protected or redacted

7.4 The Town Council will respond to requests within one calendar month of receiving the request.

7.5 The Town Council reserves the right to refuse access to CCTV footage where this would prejudice the legal rights of other individuals or jeopardise an on-going investigation.

8. Access and disclosure of images to third parties

8.1 There will be no disclosure of recorded data to third parties other than authorised personnel such as the Police and service providers to the Town Council where these would reasonable need access to the data (e.g. investigators).

8.2 If an order is granted by a Court for disclosure of CCTV images, then this should be complied with. However, very careful consideration must be given to exactly what the Court order requires. If there are any concerns as to disclosure, then the Town Council should seek expert advice from a Data Protection Officer in the first instance and appropriate legal advice may be required.

8.4 The data may be used within the Town Council's discipline and grievance procedures as required and will be subject to the usual confidentiality requirements of those procedures.

9. Responsibilities

9.1 The Town Council retains overall responsibility and will:

- Ensure that the use of CCTV systems is implemented in accordance with this policy.
- Oversee and co-ordinate the use of CCTV monitoring for safety and security purposes within the Town Council premises.
- Ensure that all existing CCTV monitoring systems will be evaluated for compliance with this policy.
- Ensure that the CCTV monitoring is consistent with the highest standards and protections.
- Review camera locations and be responsible for the release of any information or recorded CCTV materials stored in compliance with this policy.
- Maintain a record of access (e.g. an access log) to or the release of tapes or any material recorded or stored in the system.
- Ensure that monitoring recorded tapes are not duplicated for release.
- Ensure that the perimeter of view from fixed location cameras conforms to this policy both internally and externally.

- Give consideration to both Town Council Councillors and staff feedback/complaints regarding possible invasion of privacy or confidentiality due to the location of a particular CCTV camera or associated equipment.
- Ensure that external cameras are non-intrusive in terms of their positions and views of neighbouring residential housing and comply with the principle of “Reasonable Expectation of Privacy”
- Ensure that images are stored in a secure place with access by authorised personnel only
- Ensure that images recorded on tapes/DVDs/digital recordings are stored for a period not longer than 31 days and are then erased unless required as part of a criminal investigation or court proceedings (criminal or civil) or other bona fide use as approved by Town Clerk.
- Ensure that when a zoom facility on a camera is being used, there is a second person present with the operator of the camera to guarantee that there is no unwarranted invasion of privacy.
- Ensure that camera control is solely to monitor suspicious behaviour, criminal damage etc. and not to monitor individual characteristics.
- Ensure that camera control is not infringing an individual’s reasonable expectation of privacy in public areas.

9.2 All Council staff who have responsibility for managing or operating the CCTV system must hold a valid Security Industry Authority (SIA) licence where this is required by law. The Town Clerk will maintain records confirming compliance with this requirement.

10. Data protection impact assessments and privacy by design.

10.1 CCTV has the potential to be privacy intrusive. The Town Council will perform a privacy impact assessment when installing new or moving CCTV cameras to consider the privacy issues involved with using new surveillance systems to ensure that the use is necessary and proportionate and address a pressing need identified.

10.2 Any complaints will be handled in accordance with the town council Complaints policy. Complaints should be addressed to the Town Clerk, Todmorden Town Hall, Bridge Street, Todmorden OL14 5AQ or email townclerk@todmorden-tc.gov.uk

11. Policy Review

11.1 The Town Clerk is responsible for monitoring and reviewing this policy annually. In addition, changes to legislation, national guidance, codes of practice or commissioner advice may trigger interim reviews.

12. Links with other policies

12.1 This CCTV policy links with the Town Council’s:

- Data Protection Policy
- Freedom of Information Policy

- Security Incident Policy

13. CCTV signage

13.1 It is a requirement of the Data Protection Act to notify people entering a CCTV protected area that the area is monitored by CCTV and that pictures are recorded.

13.2 The Town Council is to ensure that this requirement is fulfilled. The CCTV sign should include the following:

- That the area is covered by CCTV surveillance and pictures are recorded.
- The purposes of using CCTV.
- The name of the Town Council.
- The contact telephone number or address for enquiries