



WELLINGTON TOWN COUNCIL **CCTV POLICY**

1. Introduction

This Policy is to control the management, operation, use and confidentiality of the CCTV systems at Wellington Park, the Kings Arms Community Hub and the Open Spaces Depot.

Town Centre CCTV cameras are operated and monitored under contract by Somerset Council and are not covered by this Policy.

This policy will be subject to periodic review by the Town Council to ensure that it continues to reflect the public interest and that it and the system meets all legislative requirements.

Wellington Town Council accepts the data protection principles based on the General Data Protection Regulation (GDPR) which became law on 25th May 2018.

The policy is based on the premise that Personal Data must be:

- Processed fairly, lawfully and in a transparent manner in relation to the data subject;
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- Accurate and, where necessary, kept up to date;
- Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
- Processed in a manner that ensures appropriate security of the personal data including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

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 fear of crime by persons using Town Council facilities, so they can enter and leave the buildings and facilities without fear of intimidation by individuals or groups;
- To reduce the vandalism of property and to prevent, deter and detect crime and disorder;
- 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, both inside and outside Town Council buildings;
- To assist all 'emergency services' to carry out their lawful duties.

The system will not be used to unjustifiably intrude on the privacy of individuals. Any use in relation to staff will be transparent, proportionate, and in line with employment law.

3. CCTV and Staff Misconduct Investigations

CCTV images may be reviewed as part of an investigation into alleged staff misconduct. Such use of CCTV will only take place where it is considered lawful, necessary and proportionate, and where there are clear and legitimate management grounds for doing so. The Council recognises the sensitivity of using surveillance material in employment matters and commits to ensuring that such reviews are conducted fairly, transparently, and in accordance with ACAS guidance, the Data Protection Act 2018, and the Council's Managing Employee Performance Procedure.

This will only occur when:

- There is a legitimate management concern or a formal allegation.
- Review of CCTV is a necessary and proportionate means of establishing the facts.
- No less intrusive method is available.
- Employees will be informed through this policy and induction that CCTV may be used for this purpose.
- Covert monitoring will not normally take place. It will only be considered in exceptional circumstances (e.g. suspected criminal activity), with the written authorisation of the Town Clerk (or delegated Deputy Clerk) in consultation with the Chair of Council, and where necessary the police.
- Any images used in disciplinary proceedings will be handled in line with the Council's Managing Employee Performance Procedure, ACAS guidance, and the principles of fairness and transparency.

4. 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. All agendas are posted on the Town Council website at least 3 clear days (excluding weekends) before Council meetings.

5. Responsibilities of the Owners of the Scheme

The elected Town Council retains overall responsibility for the scheme. Day-to-day responsibility rests with the Clerk to the Council, in conjunction with the CCTV providers.

Breaches of this Policy by operators will be investigated by the Clerk or their delegated representative and reported to Council when necessary.

6. CCTV Code of Practice

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.

Control and Operation of the Cameras, Monitors and Systems.

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

1. 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.
2. The position of cameras and monitors have been agreed following consultation with the police and technical contractors 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 CEO/Clerk to the Council or the Mayor. 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 Wellington Park, the Kings Arms Community Hub and the Open Spaces Depot to review and confirm the Town Council's operation of CCTV arrangements. Any visit by the Police to view images will be reported to the CEO/Town Clerk.
4. Operators should regularly check the accuracy of the date/time displayed. All sites have software installed so the display clock which will be updated automatically via the internet.
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 erased after a period of 30 days.
6. All sites access to CCTV images are password protected and have an automatic system log out after 5 minutes. The passwords of these systems are not permitted to be shared beyond to roles stipulated in this policy; the CEO/Town Clerk. Sharing a password is considered a breach of this policy and could lead to disciplinary action.
7. 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 CEO/Clerk to the Council would inform the Mayor of any such action.
8. 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.

9. Any event that requires checking of recorded data should be clearly detailed in the log book of incidents, including Crime Nos. if appropriate, and the Council Office notified at the next available opportunity (see Appendix A). Any access to CCTV images which are not recorded in the log book, is considered a breach of this policy and could lead to disciplinary action. The log book must be kept up-to-date and must be presented to the CEO/Town Clerk upon request.
10. Any damage to equipment or malfunction should be reported immediately to the CEO/Town Clerk and contact made with the company responsible for 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.
11. Any request by the police for access to CCTV images to identify a specific incident or an individual member of the public for access to their own recorded image must be made on an 'Access Request Form' with no charge. Forms are available from the Council Office (see Appendix B). Request from the police will be dealt with as soon as possible but no later than 5 working days. Requests from members of the public will be responded to within 28 days.

Accountability

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

The Police will be informed of the installation and provided with a copy of this CCTV Policy.

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.

Wellington Town Council has 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 customers. It will not be used for other purposes.

Wellington Town Council will conduct an annual review of the use of CCTV on their premises. (see Appendix C).

THIS POLICY MUST BE COMPLIED WITH AT ALL TIMES.

I have read the above policy and agree to abide by these instructions. I will discuss any concerns with the Clerk to the Council at any time.

Signed Print Name

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

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

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APPENDIX B



**Wellington Town Council
ACCESS REQUEST FORM – CCTV IMAGES**

Date of Recording:	Place of Recording:	Time of Recording:	
Applicants Name and Address Post Code: Tel.No:		Description of Applicant and any distinguishing features (e.g. clothing	
Signature of Applicant (or parent/guardian if under 18)			
Reason for request - to be submitted to the Town Council.			
Received by:	Clerk's Signature:	Date Received:	Time Received:
Fee Charged / N.A.	Fee Paid:	Request Approved: YES/NO	Date Applicant Informed:

APPENDIX C

Wellington Town Council CCTV System Annual Review

This CCTV system and images produced by it are controlled by Wellington Town Council who 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)

Wellington Town Council has considered the need for using CCTV and has decided it is required for the prevention and detection of crime and for protecting the safety of customers. It will not be used for other purposes. The Town Council conducts an annual review of the use of CCTV on their premises.

	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.			
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. 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.			
Except for law enforcement bodies, images will not be provided to third parties.			

<p>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.</p>			
<p>Regular checks are carried out to ensure that the system is working properly and produces high quality images.</p>			

Please keep this checklist in a safe place until the date of the next review.

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