

LOOE TOWN COUNCIL

K O N S E L T R E L O G H

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# Surveillance Camera Policy

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Re-Adopted by Council:  
15th May 2023

Next Review due: 31st May 2024

## LOOE TOWN COUNCIL

### SURVEILLANCE CAMERA POLICY

#### Introduction

Looe Town Council uses Closed Circuit Television (CCTV) at fixed points on the streets of Looe and provides some employees with Body Worn Video Cameras (BWVC) when they are working in the town. This policy covers the use of CCTV and BWVC as surveillance equipment and explains how the Council manage the gathering, storage, use and disposal of data. This document has been developed in accordance with guidance issued by the Information Commissioners Office and contained in the Code of Practice; *'In the Picture: A Data Protection Code of Practice for Surveillance Cameras and Personal Information.'*

#### Policy Statement

Looe Town Council has installed CCTV and provided BWVC for the primary purposes of:

- Improving public safety;
- Assisting in the detection and deterring of crime (including enviro-crime);
- Detecting and deterring anti social behaviour;
- Monitoring of congestion in the town centre; and
- Protecting Town Council property and assets.

Surveillance devices are only used in public spaces and no cameras are hidden from view.

This Policy applies to all employees who are required to wear Body Worn Video Cameras and those who have access to CCTV data management software. Employees must use any equipment in line with this policy and any associated procedures.

#### Surveillance Equipment

The CCTV system consists of several fixed cameras located at strategic points in public spaces around the town. Images are constantly relayed to computers at the Town Council offices where they are monitored and recorded. Footage from the CCTV can also be accessed by Devon & Cornwall Police and by the Security system providers.

Body Worn Video Cameras are provided to certain Officers of the Council who work in public spaces. Anyone wearing a BWVC will be identifiable as an employee of Looe Town Council and is required to wear a badge to ensure that members of the public are aware of the presence of a camera. These employees will also be required to adhere to the rules and guidance set out in Appendix 1 of this Policy. Unlike CCTV, these devices are not constantly recording and are not sending images to a central system.

## Responsibilities

Looe Town Council has responsibility for ensuring that the surveillance systems are fit for purpose, cost-effective and for authorising any further system development.

The Town Clerk (or person deputizing) is responsible for day-to-day management of the system, including;

- System security;
- User authorisation and training;
- Data protection in line with the General Data Protection Regulations;

Authorised users are responsible for operating equipment and systems in accordance with the requirements set out in current legislation, this policy and any Town Council approved procedures that may be in place.

## Covert Recording

Covert cameras may be used under the following circumstances after legal advice has been taken and on the authorisation of both the Town Clerk or appropriate senior manager and the Mayor:

- When informing the individual(s) concerned that recording was taking place would seriously prejudice the objective of making the recording, and,
- When there is reasonable cause to suspect that unauthorised or illegal activity is taking place or is about to take place.

Covert Recording will only be undertaken in accordance with the Code of Practice; *'In the Picture: A Data Protection Code of Practice for Surveillance Cameras and Personal Information.'*

The system will not be used for any other purpose than those set out in this policy document without the prior permission of the Town Clerk and the Town Mayor as Chairman of the Council. Any non routine use of the CCTV system will require the approval of both the Clerk and the Mayor.

CCTV cameras will not be used to monitor the progress of staff or other individuals during the normal course of their work nor will managers be permitted to use the cameras to observe working practices or time-keeping in order to assist them with day-to-day management.

Individuals will only be monitored if there is reasonable cause to suspect criminal offence or a serious breach of discipline potentially amounting to misconduct. Such monitoring of individuals will only be permitted after legal advice has been taken and authorisation has been given by both the Town Clerk and the Mayor.

## Viewing Images

The viewing of recorded images will only be undertaken for a specific, legitimate purpose. Casual viewing of recorded images is not permitted. Viewings may be undertaken only by permitted users including authorised Town Council staff, enforcement agencies (e.g. the police) and Security System providers.

Enforcement agencies such as the police have a legal right to access and retain recordings (and other relevant evidence) when investigating crime, including anti-social behaviour. Other requests for CCTV recorded evidence may be made directly to the Town Clerk by prosecution agencies, relevant legal representatives, insurance companies investigating claims and emergency services investigating accidents.

The disclosure or release of recorded material will be controlled by the Town Clerk and only be made to third parties in strict accordance with the purposes of the system. The Town Clerk is responsible for ensuring compliance with the Data Protection Act and for ensuring that any recorded personal imaging and personal information not relevant to the disclosure request is obscured.

Third party agencies requesting the disclosure or release of recorded material are responsible for all costs associated with the provision of such material including any required image blurring. The Town Council may require payment of the associated costs prior to material being released.

In requesting the disclosure or release of recorded material from the Town Council, the requesting agency accepts full responsibility for the security and management of such material and any liability issues arising from the use of such material. The Town Council shall not be liable in respect regarding any matter arising from the security, management or use of an authorised disclosure or release of recorded material to a third party agency.

All images shall remain the property and copyright of Looe Town Council.

## **Data Security and Retention**

CCTV recorded images are saved for a minimum one-month period on a secure server managed by the system provider. No images are routinely recorded or downloaded by Looe Town Council or its Officers. Images subject to a notification by the police for retention or subject to a request for disclosure or release by a third party agency are 'tagged' on the system for provision to and access by these agencies. Any images subject to a notification by the police or subject to a request by a third party agency are retained on the server for such a period as may be necessary to conclude an investigation or claim and are then deleted.

Recordings on Body Worn Video Cameras are encrypted so that only authorised users can view the material. All recordings are stored on a secure Council-approved device and viewing of images will always take place in a private or restricted area. Any non-evidential data will be routinely deleted after a maximum period of 60 days. Recordings required as evidence will be retained until such time as any case is completed.

Recorded material is never sold or used for commercial purposes nor will it be used in conjunction with any form of social media. All recording equipment and recording media is securely stored and only authorised access to such equipment and media will be permitted.

### Using Body Worn Video Cameras – Rules and Guidance for Employees

1. Body Worn Video Camera (BWVC) units will be issued to an individual employee of Looe Town Council who will then be responsible for the safe-keeping of their equipment.
2. Once allocated, the employee should check that the camera is functioning correctly and that they know how to activate it.
3. The camera must then be worn at all times when they are on duty for the Council along with the badge provided to inform members of the public that BWVC is present.
4. A camera should only be switched on if an incident occurs and must only be operated in a public space where people could reasonably expect to be filmed or photographed.
5. Recording must continue, uninterrupted, from the start of an incident and for a short period after the event to clearly show that the incident is over.
6. There are many events and incidents that may lead to a camera being switched on to record but employees must bear in mind that the intention of recording should always be to:
  - Improve public safety;
  - Assist in the detection and deterring of crime (including enviro-crime);
  - Detect and deter anti social behaviour;
  - Monitor of congestion in the town centre; or to
  - Protect Town Council property and assets.
7. The device will show that it is recording but the Officer should also verbally make members of the public aware of this, if there is an opportunity to do so without putting themselves in danger.
8. When a camera is recording, it should remain focused on the incident concerned to minimise any intrusion of privacy on members of the public who are not involved.
9. Any recordings are encrypted on the device and must only be viewed or downloaded in the following circumstances:
  - a. for a specific, legitimate purpose;
  - b. by authorised Officers of the Council or third-party law enforcement agencies;
  - c. in a private or restricted area.
10. Recordings which are not required for any evidential purpose or ongoing legal enquiry must be deleted within 60 days of the date of the incident.

Read and understood by employee name .....

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