

BINGLEY TOWN COUNCIL



Bingley Town Council, Myrtle Place, Bingley, BD16 2LF

CCTV Policy

Date of adoption: 14th February 2024

Next review date: February 2025

1. Introduction

- a. This policy is to control the management, operation, use and confidentiality of the CCTV system located at Bingley Town Council 'Hub', Myrtle Place, Bingley, BD16 2LF.
- b. The CCTV Scheme is registered with the Information Commissioner under the terms of the Data Protection Act 2018 and General Data Protection Regulations (GDPR) 2021. The use of CCTV and the associated images is governed by the Data Protection Act 2018 and GDPR 2021. This policy outlines the Council's use of CCTV and how it complies with the Act.
- c. The Council complies with Information Commissioner's Office (ICO) CCTV Code of Practice to ensure it is used responsibly, and safeguards both trust and confidence in its continued use. The Code of Practice is published on the ICO website.
- d. In areas where CCTV is used, the Council will ensure that there are prominent signs placed within the controlled area.
- e. It is not possible to guarantee that the system will cover or detect every single incident taking place in the areas of coverage.
- f. Bingley Town Council accepts the eight data protection principles based on the Data Protection Act 2018, and the need to comply with all data protection law, in particular Article 13 of the UK GDPR. Data must be:
 - i. fairly and lawfully processed;
 - ii. processed for limited purposes and not in any manner incompatible with those purposes;
 - iii. adequate, relevant and not excessive;
 - iv. accurate;
 - v. not kept for longer than is necessary;
 - vi. processed in accordance with individuals' rights;
 - vii. secure;
 - viii. not transferred to a country or territory outside the European Economic Area

unless an adequate level of protection for the rights and freedoms of data subjects is ensured.

2. Statement of Purpose

- a. To provide a safe and secure environment for the benefit of those who work in, visit or use the Council office or public toilets. The system will not be used to invade the privacy of any individual, except when carried out in accordance with the law.
- b. The scheme will be used for the following purposes:
 - i. to reduce the fear of crime by persons using facilities at Bingley Town Council Hub, so they can enter and leave the buildings and facilities without fear of intimidation by individuals or groups;
 - ii. to discourage the vandalism of the property and to prevent, deter and detect crime and disorder at this specific location.
 - iii. 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;
 - iv. 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;
 - v. to assist all “emergency services” to carry out their lawful duties.

3. Oversight of the Purpose and Policy

- a. The CCTV Policy will be overseen by the Finance and General Purposes Committee (or another appropriate sub committee). However, any 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 a full Town Council meeting.
- b. Policies, procedures, passwords, and authorised personnel shall be reviewed annually and updated as necessary by the Finance and General Purposes Committee (or another appropriate sub-committee,) to be ratified by the Full Council.

4. Responsibilities of the Owner of the Scheme

- a. Bingley Town Council retains overall responsibility for the scheme.
- b. Day to day operational responsibility rests with the Town Clerk to the Council in consultation with the Chair of the Council. Breaches of this policy will be investigated by the Town Clerk to the Council in consultation with the Chair of the Council and reported to the Town Council.
- c. A CCTV system prevents crime largely by increasing the risk of detection and prosecution of an offender. 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.

- d. The following points must be understood and strictly observed by operators in the control and operation of the cameras, monitors and systems:
 - i. Trained operators must act with integrity and not abuse the equipment or change the pre-set criteria to compromise the privacy of an individual.
 - ii. No public access will be allowed to the monitors except for lawful, proper and sufficient reason, with prior approval of the Town Clerk to the Council or the Chair of the Council. 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. Images may be shared electronically with West Yorkshire Police, using secure methods. The Police are able to visit the Hub to review and confirm the Town Council's operation of CCTV by arrangement. Any visit by, or transfer of images to, the Police to view images will be logged by the operator.
 - iii. Operators should regularly check the accuracy of the date/time displayed.
 - iv. Storage and retention of images:
 - a. 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 31 days.
 - b. 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 to the Council would inform the Chair of the Council of any such occurrence.
 - c. 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.
 - v. Any event that requires checking of recorded data should be clearly detailed in the log of incidents, including crime numbers, if appropriate, and the Town Council notified at the next available opportunity.
 - vi. Any damage to equipment or malfunction discovered by an operator should be reported immediately to the Town Clerk to the Council and the Chair of the Council and recorded in the log. When a repair has been made, this should also be logged showing the date and time of completion.

5. Description of the CCTV System

- a. The system is an 8ch NVR with a 2TB drive. All cameras are vandal proof dome 5 megapixel PoE with 100ft IR night vision.

- b. The system has sound recording capability which is disabled.
- c. The CCTV system is owned and operated by the Town Council and is controlled by it.
- d. The CCTV can only be monitored centrally from a secure location in the Bingley Town Council Hub and also via the mobile telephones of the Town Clerk and Deputy Clerk.
- e. Access to recordings shall be securely password-protected to prevent unauthorised access.
- f. 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 aware of the restrictions in relation to access to, and disclosure of, recorded images.

6 Siting of Cameras

- a. The Council has carried out a privacy impact assessment (PIA).
- b. Cameras will be sited so they only capture images relevant to the purposes for which they are intended.
- c. The Council will ensure that the location of equipment is carefully considered to ensure that images captured comply with the Data Protection Act and the UK GDPR.
- d. Care will be taken to ensure that reasonable privacy expectations are not violated.

7. Subject Access Requests

- a. Any request by an individual member of the public for access to their own recorded image must be made on an Access Request Form.
- b. Forms are available by contacting the Town Clerk to the Council or can be downloaded from the Council website and will be submitted to the next meeting of the Council for consideration and reply, normally within one calendar month. There are no fees or charges for the first request but additional requests for the same personal data or requests which are manifestly unfounded or excessive may be subject to an administrative fee.

8. Accountability

- a. Copies of the CCTV Policy are available in accordance with the Freedom of Information Act, as will any reports that are submitted to the Council providing it does not breach security needs.
- b. The Police will be informed of the installation and provided with a copy of this CCTV Policy.

9. Complaints

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

10. Further information on CCTV and its use is available from the following:

- CCTV Code of Practice (published by the Information Commissioners Office)
- Surveillance Camera Code of Practice (published by the Surveillance Camera Commissioner)
- Data Protection Act 2018
- Protection of Freedoms Act 2012
- Human Rights Act 1998
- UK GDPR 2021