



Binfield Parish Council

CCTV Policy

Contents

1. Background.....	2
2. Guiding Principles (Code of Practice)	2
3. Associated Legislation.....	3
4. Introduction.....	3
5. Policy Position & Purpose.....	3
6. Responsibility for the Management of the System	3
7. Access & Disclosure of Images.....	4
8. Secure Storage & Retention of Images.....	4



Binfield Parish Council

CCTV Policy

1. Background

The Protection of Freedoms Act 2012 introduced the regulation of public space surveillance cameras in England and Wales. As a result, the surveillance camera code of practice was issued by the secretary of state under Section 30 of the Act to ensure that the use of cameras in public places is regulated and only used in pursuit of a specified purpose. The code, which came into force on 12 August 2013, seeks to balance the need for cameras in public places with individuals' right to privacy. The code applies to the use of surveillance camera systems that operate in public places in England and Wales, regardless of whether or not there is any live viewing or recording of images or information or associated data. All relevant authorities must have regard to the code. A relevant authority as defined by section 33(5) of the Protection of Freedoms Act 2012 includes all local authorities in England and Wales. This includes parish and town councils. Each council therefore has to ensure that it complies with the code when it operates any surveillance camera system that monitors public space.

2. Guiding Principles (Code of Practice)

2.1 The Protection of Freedoms Act 2012 introduced legislation governing the use of surveillance camera systems that monitor public space.

This included:

- The Surveillance Camera Code of Practice (2013) and The Surveillance Camera Commissioner whose role it is to encourage compliance, review operations and provide advice about the code.
- Section 33(5) places Local Authorities on a list of 'relevant authorities' who MUST pay due regard to the code.

The code sets out 12 principles for the operation of surveillance camera systems. Each system should:

- **Purpose** – What is the purpose of the system.
- **Privacy** – BPC must consider the effect the system will have on individuals and their privacy.
- **Transparency** – Be operated transparently so people know they are being monitored
- **Responsibility and Accountability** – The system should be operated with good governance.
- **Rules, Policies and Procedures** – This documentation must be in place before a CCTV system is used.
- **Storage** – Store no more images/data than strictly required.
- **Access** – 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
- **Approved Standards** – CCTV system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to maintain those standards.
- **Security & Safeguards** – CCTV system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
- **Review & Audits** – There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice.
- **Support Law Enforcement** – The system should 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.
- **Reference Database** – BPC will not require any form of reference database.

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Binfield Parish Council

CCTV Policy

3. Associated Legislation

3.1 Any CCTV Scheme owned and operated by Binfield Parish Council must comply with the following legislation:

- General Data Protection Regulation 2018
- Human Rights Act 1998.
- Protection of Freedoms Act 2012.
- Freedom of Information Act 2000;

4. Introduction

- 1.1 This policy sets out the broad procedures and safeguards for managing the CCTV system installed on the perimeter of the Binfield Parish Council building on Foxley Fields, Benetfeld Road.
- 1.2 Binfield Parish Council use CCTV for the purposes of the prevention and detection of crime and in order to recognise and identify individuals with a view to taking appropriate action where necessary.
- 1.2 This document sets out the accepted use and management of CCTV equipment and images to ensure that Binfield Parish Council complies with GDPR and the Data Protection Act 2018 along with other relevant legislation. We process personal data in line with our Data Protection Policy.
- 1.3. Binfield Parish Council will also be cognisant of the Guiding Principles of the Surveillance Camera Code of Practice as published by the Home Office and updated in 2021.
- 1.4 GDPR applies because CCTV cameras capture personal information that could identify someone.

5. Policy Position & Purpose

5.1 CCTV has been installed on the perimeter of the Parish Council building on Benetfeld Road and on a streetlamp on Foxley Fields to provide coverage of the play areas for the following reasons.

- To assist in deterring or detecting crime in the area.
- To help with the identification, apprehension and prosecution of offenders.
- The existence and position of the CCTV will also help to deter any unauthorised access onto Foxley Fields

5.2 The purpose of this policy is to establish what CCTV Binfield Parish Council will use, how it will be used and managed.

6. Responsibility for the Management of the System

6.1 The Clerk and Deputy Clerk have overall responsibility for the maintenance of the system. They will periodically check the equipment and arrange for the suppliers to carry out a regular check and service.



Binfield Parish Council

CCTV Policy

- 6.2 The Clerk and Deputy Clerk will ensure that images are deleted in accordance with the Data Retention Policy. The Clerk and Deputy Clerk will have access to the recoded images during maintenance of the system but will under no circumstances routinely view, disclose or retain copies of recorded images.
- 6.3 The Clerk and Deputy Clerk will be trained in the operation of the CCTV system and will be aware of the data protection compliance requirements.
- 6.4 The Clerk is responsible for ensuring that this policy and its implementation is compliant with Data Protection Legislation and will audit the systems use on a periodic basis.

7. Access & Disclosure of Images

- 7.1 The Clerk is responsible for dealing with and responding to any requests for access to images made by individuals under the Data Protection Act 2018.
- 7.2 The Clerk or Deputy Clerk are responsible for viewing images when investigating an incident or suspected incident.
- 7.3 If an incident has occurred or is suspected to have occurred, images may then be disclosed to the Police as part of a criminal investigation. Footage will only be provided if absolutely necessary.

8. Secure Storage & Retention of Images

- 5.1 Images will be stored on the recording equipment which will be securely protected. The Clerk and Deputy Clerk have responsibility for ensuring that the equipment and the routinely recorded images have the necessary security. Images are routinely retained for 30 days but may be retained longer in the event that they are required as part of an investigation.
- 5.2 Where images have been retained for an investigation the Clerk and Deputy Clerk will take responsibility for the secure storage of those images.