



**HEATHFIELD &**  
**WALDRON**  
**PARISH COUNCIL**

**CCTV POLICY**

July 2022

## **1. Introduction**

This policy is to control the management, operation, use and confidentiality of the CCTV system located at Tower Street Recreation Ground, the Skatepark, the High Street/Station Road and at the Parish Council offices.

The policy was prepared after taking due account of the Code of Practice published by the Data Protection Commissioner (revised 2015) and the Data Protection Act 2018. This policy will be subject to periodic review by the Parish Council to ensure that it continues to reflect the public interest and that it and the system meets all legislative requirements.

The use of CCTV falls within the scope of the Data Protection Act 1998, the Human Rights Act 1998, the Regulation of Investigatory Powers Act 2000, CCTV Code of Practice and other relevant legislation.

In order to comply with the requirements of the law, data must be:

1. fairly and lawfully processed;
2. processed for limited purposes and not in any manner incompatible with those purposes;
3. adequate, relevant and not excessive;
4. accurate;
5. not kept for longer than is necessary;
6. processed in accordance with individuals' rights;
7. secure;
8. 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**

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 recreational facilities and within the centre of the town;
- to reduce the vandalism of property and to prevent, deter and detect crime and disorder;
- to assist the police, the Parish 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 in areas being monitored;
- to assist all "emergency services" to carry out their lawful duties
- to protect staff when entering and leaving the office
- external and internal signage will be displayed advising of the presence of CCTV and indicating the Data Controllers name and contact number during office hours

## **3. Changes to the Purpose or Policy**

The CCTV Policy may be discussed at meetings of the Community and Business Development 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 Parish Council meeting.

#### **4. Responsibilities of the Owner of the Scheme**

Heathfield and Waldron Parish Council retains overall responsibility for the scheme.

### **CCTV Code of Practice**

#### **1. Management of the System**

##### **a. Cameras based at the Parish Council Offices**

Day to day operational responsibility rests with the Clerk to the Council.

##### **b. Cameras linked to Police headquarters at Lewes**

The cameras that are linked to Police headquarters at Lewes via Uckfield are governed by the CCTV system agreement with the police and the Licence with Uckfield Town Council.

The police control room are responsible for the day to day operation of the cameras and will report any issues to the Clerk to the Council.

#### **2. Control and Operation of the Cameras, Monitors and Systems at the Parish Council office**

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

- a) The position of cameras and monitors have been agreed by the Parish Council Community and Business Development Committee.
- b) No public access will be allowed to the monitors except for lawful, proper and sufficient reason, with prior approval of the Clerk to 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. The Police are able to visit the sites where CCTV cameras are located. Any visit by the Police to view images will be logged by the operator.
- c) Operators should regularly check the accuracy of the date/time displayed.
- d) Storage and Retention of Images  
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.
- e) 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 Clerk to the Council would inform the Chairman of the Parish Council of any such emergency.
- f) 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 Parish Council by the police and the outcome of its use.

g) The Clerk will assess applications from third parties for data and will decide whether the requested access will be permitted. Disclosure of recorded images to third parties will only be made in limited and prescribed circumstances. Disclosure to third parties will be limited to the following:

- Law enforcement agencies where the images recorded would assist in a specific criminal enquiry;
- Prosecution agencies;
- Relevant legal representatives; and
- The press/media (see 1e)
- All persons requesting image(s) must complete the form at Appendix 1 and return it to the Clerk of the Council.

If access is denied the reason should be logged.

h) Any event that requires checking of recorded data should be clearly detailed in the log book of incidents, including Crime Numbers. if appropriate, and the Parish Council notified at the next available opportunity.

i) Any damage to equipment or malfunction discovered should be reported immediately to the Clerk to the Council and the Chairman of the CBD Committee and recorded in the log. When a repair has been made, this should also be logged showing the date and time of completion.

j) Subject Access Requests

Any request by an individual member of the public for access to their own recorded image must be made in writing to the Clerk to the Council using the attached form (see Appendix 1). The Clerk will consider whether disclosure would entail disclosing images of third parties and whether these images are held under a duty of confidence. In this situation the Council's insurers will be asked to advise on the desirability of releasing any information. If required the Clerk will arrange for third parties' images to be blurred or disguised. 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. A record will be kept of the name of the person requesting to view the images, the date and time of the viewing, the reason for it and the outcome, if any of the viewing

### **3. Accountability**

Breaches of this policy will be investigated by the Clerk to the Council and reported to the Parish Council.

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..

Copies of the CCTV Policy are available in accordance with the Freedom of Information Act, as will any reports that are submitted to the Parish 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 or complaints regarding the use of the system will be considered by the Parish Council, in line with the existing complaints policy.

### **4. Status**

This policy was adopted by Heathfield and Waldron Parish Council at a meeting of the Council on **12/07/2022**.

**Appendix 1**  
**Data Protection Act/General Data Protection Regulation**  
**Application for CCTV Data Access**

**All sections must be fully completed**

Attach a separate sheet if needed

Name and address of applicant	
Name and address of 'data subject', i.e. the person whose image is recorded	
If the data subject is not the person making the application, the data subject will need to attend the Parish Council office and sign the consent opposite	Data subject signature:
If it is not possible to obtain the signature of the data subject, please state your reasons	
Please state your reasons for requesting the image	
Date on which the requested image was taken	
Time at which the requested image was taken	
Location of the data subject at time image was taken (i.e. which camera or cameras)	
Full description of the individual, or alternatively, attach to this application a range of photographs to enable the data subject to be identified by the operator	

On receipt of a fully completed application a response will be provided as soon as possible and in any event within 30 days

<b>Council use only</b>	<b>Council use only</b>
Access granted (Y/N)	
Access <b>not</b> granted (Y/N)	Reason for not granting access:
Data Controller's name:	
Signature:	
Date:	