



## **HARWICH TOWN COUNCIL** **CLOSED CIRCUIT TV (CCTV) POLICY**

*Policy adopted by Harwich Town Council at a meeting of the Full Council on Tuesday 14th January 2025.*

### **Purpose**

The purpose of this policy is to outline Harwich Town Council's arrangements for the placement and management of closed-circuit television (CCTV) systems on any council-owned/managed premises/land and to comply with the requirements of the General Data Protection Regulations, The Data Protection Act 2018 and other relevant legislation. We process personal detail in line with our [Data Protection Policy](#) and using the Lawful Basis of 'Public task'.

The 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.

### **Scope**

This policy applies to all council-operated CCTV, which captures images of identifiable individuals or information relating to individuals, for the purposes of the prevention and detection of criminal activity and/or anti-social behaviour, in order to enhance the safety and wellbeing of staff, users and visitors.

The planning and design of CCTV endeavours to ensure maximum effectiveness and efficiency but does not guarantee to capture or detect every incident occurring within the areas covered. All cameras are of a fixed design.

The use of conventional cameras (not CCTV) for artistic or educational purposes such as for film making is not covered by this policy.

## **Policy Statements**

1. CCTV is not used to record conversations.
2. The Council does not undertake covert surveillance activities.
3. Equipment used, image quality, camera siting and locations are appropriate to ensure that the images are adequate for the purpose(s) for which they are being collected.
4. Where applicable, a Data Protection Impact Assessment (DPIA) for privacy and human rights purposes is undertaken prior to the installation of any CCTV or any changes made to the location, positioning or upgrade of an existing system.
5. Appropriate CCTV signage is used where any working equipment is installed.
6. The council will comply with the UK General Data Protection Regulations and the Data Protection Act 2018.

## **Responsibility for the Management of the System**

Harwich Town Council is responsible for all CCTV operated within the grounds of its buildings or land (either owned or managed) and is the data controller for the purposes of the General Data Protection Regulations 2018.

The Clerk to the Council is responsible for ensuring that this policy and its implementation is compliant with Data Protection Legislation and will audit the system's use on a periodic basis. The Clerk to the Council has the authority to investigate breaches of this policy, making use of the Council's disciplinary procedures, where applicable.

## **Use of the equipment**

Those required to operate the CCTV or monitor, save or extract captured images will be appropriately authorised and trained and/or supervised.

The Estate Supervisor is responsible for the day-to-day operation of all council-owned CCTV and will be aware of the data protection compliance requirements. Operation includes periodic routine system checks to ascertain working order and/or identify faults and arranging system maintenance. Maintenance is carried out by a third party (CCTV installation company) who will be registered, where required, with the ICO.

Recordings will not be routinely viewed unless Harwich Town Council has due cause to monitor a particular day, time or activity for the purposes of crime detection, ensuring safety to all visitors to the premises and for overall prevention and security of the site.

## **Access to and Disclosure of images**

Disclosure of recordings from the CCTV is controlled and is consistent with the purpose(s) for which the systems are established.

Recordings will be viewed by the council under the following circumstances:

1. If the council has due cause to believe that any criminal activity/Anti-social Behaviour, or breaches of safety have occurred.
2. Upon receipt of a request by a third party, subject to the approval of the Clerk to the Council.
3. Upon receipt of a request by authorities such as the police. Images will be disclosed following receipt of a duly completed CCTV Data Request Form (Appendix A).
4. Upon receipt of a Subject Access Request, subject to the provisions of the UK GDPR.
5. Periodic inspections to ascertain the working order of the equipment in accordance with the above.

Recordings will not be shared with anyone not authorised to view them.

The Estate Supervisor is responsible for accessing and viewing recordings for the purposes of investigating an incident or suspected incident, referring to the Clerk where necessary.

A record will be retained by the Clerk for any occasion when the recordings are viewed, or recordings are disclosed to law enforcement agencies.

Any suspected incidences of criminal activity/anti-social behaviour, breaches of safety, or when images are disclosed to authorities such as the police will be reported to the next available meeting of the Finance & General Purposes Committee.

### **Storage, Retention and disposal of Recorded Data**

Recordings are date/time stamped using encrypted software to ensure there are no lapses in recording (except during unforeseen power failures which will be documented to ensure correlation with the missing recordings).

Images will be stored on the recording equipment. Where this is a requirement to view images for the purposes of detecting criminal activity/Anti-social Behaviour, or breaches of safety, these will be downloaded onto a secure device for viewing on council premises. In all cases, the Estate Supervisor is responsible for ensuring that the equipment and recorded images are securely protected.

All recorded images will be routinely retained for a period not exceeding 31 days, following which they will be automatically deleted. Where recordings are to be retained for an investigation, they will be retained for no longer than is necessary to assist the investigation. The Estate Supervisor will take responsibility for the secure storage of those images.

Stored recordings are only accessible to the Estate Supervisor, Clerk, or Assistant Clerk in the Clerk's absence.

Recordings will be securely destroyed in accordance with the General Data Protection Regulations and the Data Protection Act 2018.

## **Legal Obligations and Good Practice**

In accordance with the General Data Protection Regulations, the Council will register their CCTV system(s) with the Information Commissioners Office (ICO) and pay the appropriate fee.

In accordance with Human Rights legislation, the Council will endeavour to ensure that any recording equipment does not invade any individual's right to privacy, and in considering this, all cameras will be placed so as to ensure that coverage does not intentionally capture the land and/or properties of neighbouring residents.

In accordance with data protection legislation, the Council will not install CCTV where an Impact Assessment identifies there is a high risk to individuals' interests, which cannot be mitigated, without first consulting the ICO.

No other tenant or individual should operate their own independent system in conjunction with the Council's CCTV without prior authorisation from the Council and, in any case, must not capture, monitor or record the activity or movement of others on land legally accessible to them (i.e. allotment common areas).

## **Siting of CCTV cameras**

### **Dovercourt**

- Hill School Site

2x CCTV cameras affixed to Building 1

4x CCTV camera affixed to Building 4

- Skate Park

1x CCTV camera affixed to West facing lamp column

1x CCTV camera affixed to south facing lamp column

This policy will be reviewed from time to time.

Policy effective from: January 2025

Date for next review: January 2028

— policy ends here —