



MULLION PARISH COUNCIL

CCTV Policy

1. Introduction

This policy is to control the management, operation, use and confidentiality of the CCTV system located at St Mellan's Park, Lender Lane, Mullion. The site is owned and managed by Mullion Parish Council.

The policy was prepared after taking due account of the Code of Practice published by the Data Protection Commissioner (revised 2015) and the General Data Protection Regulations 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 CCTV Scheme is registered with the Information Commissioner under the Terms of the Data Protection Act 1998. Registration Reference: Z7746132.

Mullion Parish Council accepts the eight data protection principles based on the Data Protection Act 1998 as follows. 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 facilities at St Mellan's Park and the users of the Forge Car Park, Lender Lane, so they can enter and leave the facilities without fear of intimidation by individuals or groups;
- 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.

3. Changes to the Purpose or Policy

The CCTV Policy may be discussed at meetings of the Parish Council. 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

Mullion Parish Council retains overall responsibility for the scheme.

CCTV Code of Practice

1. Management of the System

Day to day operational responsibility rests with the Clerk to the Council and Councillors authorised, and trained, by the Clerk.

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. 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.

2. Control and Operation of the Cameras, Monitors and Systems

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

- a) Trained operators must act with integrity and not abuse the equipment or change the pre-set criteria to compromise the privacy of an individual.
- b) The position of cameras and monitors have been agreed following consultation with the installer – Trelawney Fire and Security.
- c) 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 or the Chairman of the Parish 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 Park to review and confirm the Parish Council's operation of CCTV by arrangement. Any visit by the Police to view images will be logged by the operator.
- d) Operators should regularly check the accuracy of the date/time displayed.

f) 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 31 days.

g) 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.

h) 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.

i) 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.

j) Any damage to equipment or malfunction discovered by an operator should be reported immediately to the Clerk to the Council and the Chairman 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.

k) Subject Access Requests

Any request by an individual member of the public for access to their own recorded image must be made on an Access Request Form (see attached appendix A). Forms are available by contacting the Clerk to the Council or can be downloaded from the Parish Council website and will be submitted to the next meeting of the Parish 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

3. **Accountability**

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 Mullion Parish Council at a meeting of the council on 19 March 2019.

APPENDIX A CCTV Subject Access Request Form

Data Subject access CCTV Application Form

Under the terms of the Data Protection Act 1998, an individual is entitled to ask the authority for a copy of all personal information which it holds about him/her for the purposes of providing services to the individual. The information, which the individual is entitled to receive from the authority, includes a description of these purposes and the recipients to whom the data can be disclosed. The entitlement is known as the "Right of Access to Personal Data". Please complete this form, providing as much information as possible, should you wish to exercise your right in requesting disclosure of your data.

PLEASE NOTE THAT RECORDED DATA IS ONLY HELD FOR 31 DAYS BEFORE IT IS DELETED

1. Personal Details

Name:

Address:

Telephone Number:

Email Address:

Gender:

2. Information required

To help us find the CCTV data you require, please complete the following section – please be as accurate as possible with times, location and identification.

Date:

Time:

Location:

Description of Incident:

3. Declaration

I confirm that this is all of the personal data to which I am requesting access and which is held by the authority for its purposes. I also confirm that I am the Data Subject and not someone acting on his/her behalf.

Signed:

Date:

I confirm that I am acting on behalf of the data subject and have submitted proof of my authority to do so.

Name:

Address:

Telephone Number:

Signed:

Date:

4. Proof of identity

We require evidence that this enquiry is genuine. Therefore, please present at least two proofs of identity such as a driving licence, passport, utility bill, etc to the Parish Clerk at the address shown below.

If you are applying on someone else's' behalf, please enclose proof of identity for both the data subject and yourself as well as documented authority to act on the Data Subjects behalf.

FAILURE TO PROVIDE THESE DOCUMENTS WITH YOUR APPLICATION WILL MEAN THAT YOUR REQUEST IS REFUSED.

5. Postal Address

After completing the application form, please check to ensure that all the information you have provided is accurate and all required documents are enclosed.

The Parish Office
Mullion School
Meaver Road
Mullion
Cornwall
TR12 7EB

Mullion Parish Council is committed to the principles defined in the Data Protection Act 1998. As such, information on this document will be used only for the purposes described above. We may, however, store the data in manual or electronic form, but only for as long as we are required to do so by law.