

Llangunnor Community Council

Llangunnor Community Council CCTV Policy

1. General

- This policy relates to the control the management, operation, use and confidentiality of the CCTV systems located at the locations stated below which are and managed by Llangunnor Community Council (hereafter referred to as the Council.)
- i. Llangunnor Park, Brynmeurig, Carmarthen.
 - The policy, code and supporting documentation have been prepared taking account of current legislation and guidance.
 - Changes and periodic updating of the scheme and /or of the code or documentation may be made by Llangunnor Community Council and will be periodically updated by the Council.

2. Ownership

- Llangunnor Community Council is responsible for the policy, code and supporting documentation.
- The Council is the data controller for the CCTV system. This means the Council has registered the use with the Information Commissioner and decides how the images should be used and to whom they may be disclosed.
- Day to day control of the system, and operation of the system will be that of the Clerk to the Council or, in the Clerk's absence the Chair of the Council.
- Complaints relating to any aspect of the CCTV provision should be made to the Council via the Clerk using the contact details published on the Council's website.

3. Statement of Purpose.

- The main purpose of providing CCTV coverage at the locations stated above is to:
 - a. provide a safe and secure environment for those who visit, work or otherwise access the areas being monitored.
 - b. reduce the fear of crime by persons using the facilities.
 - c. reduce vandalism and damage to property.
 - d. help deter and detect crime and or anti-social behaviour;
 - e. to make available to the Council, Police, and or other Agencies with a legitimate interest images and information which will assist them with the identification, detection, apprehension and prosecution of individuals in relation to crime, public order, anti-social behaviour or contravention of any byelaws;
 - f. assist all "emergency services" to carry out their lawful duties and functions.
 - g. assist the Council's insurers, solicitors or any person or body appointed and duly authorised by the Council through the provision of images and data in relation to an incident or claim.
 - h. comply with any lawful instruction from the Courts or Government agency for the provision of images or data.

CCTV Code of Practice

1. Management of the System

- Day to day operational responsibility rests with the Clerk to the Council and in the absence of the Clerk the Chair of the Community Council.
- Breaches of the policy or code will be investigated by the Clerk to the Council and or a person duly appointed by the Council for that purpose. The matter to be reported to and considered by a Sub Committee of the Council.
- The number of complaints regarding the system will be kept and form part of the review process.

- Misuse of the CCTV system by a member of staff will be dealt with under the Council's disciplinary procedure and for Councillors under the Code of Conduct. Misuse of the system can be a criminal offence.
- The policy and code of practice must be read and understood by all Councillors and staff and individual copies of this policy will therefore be issued for retention.

2. Operation.

i. Equipment

- Cameras will be sited in appropriate locations and controls put in place to exclude the viewing and recording of events on individuals' private property surrounding the parks.
- Cameras will be placed in a conspicuous place but where they will not be easily damaged.
- The cameras, recording and data transfer systems must produce images and data of quality compatible with the requirements of the Police or relevant agency to be used as evidence in a court, if necessary.
- Arrangements are made for the periodic servicing and updating of the camera and recording equipment software.
- The recorded material will be stored in a secure way and access to equipment restricted.
- The system will not record audio.
- Images held on the system will be automatically deleted after 30 days as part of the recording system.
- Signs There will be signage at each location advising of the presence of CCTV, who is operating the system, it's purpose and contact details for the organisation.
- Any damage to equipment or malfunction of equipment or software discovered by an individual should be reported immediately to the Clerk to the Council or in their absence 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
- A log of all maintenance work/servicing will be kept.
- The Police are permitted to visit the parks to review and confirm the Council's operation of CCTV by arrangement.

ii. Use.

- Those with access to the equipment and recordings are expected to act with integrity and not misuse the equipment or change the pre-set criteria to compromise the privacy of an individual or the integrity and standing of the Council.
- For the viewing or downloading of images on site relating to the work of the Council the access must be approved by the Data Controller and there be two representatives of Llangunnor Community Council present. Only in exceptional circumstances could images be downloaded or viewed by one representative of the Council.
- Cameras must only be used to view area (s) which are relevant.
- Cameras and recordings must only be used for the purposes specified in this document.
- Operators must check the accuracy of the date and time recordings before viewing or downloading images/data.
- Only individuals or organisations who have been authorised by the Council may use the equipment or access recordings and only for the purposes of an identified need.
- All viewings of images will require a formal application using the form in Appendix A submitted to the Clerk to the Council, or in their absence the Chair unless there are circumstances which dictate otherwise in which case access may be granted following a verbal request to the Clerk or in their absence the Chair.
- Any access granted to view images or data captured by the CCTV system are to be recorded in a log, showing date, purpose and the name of individuals viewing the images/data and detail any images or data provided to an external source.
- When viewing images from the system care must be taken to avoid viewing of the images by unauthorised persons.

- Access by others to the area where images are being viewed must therefore be denied and limited to only those persons who have authorisation from the Council to be there.
- Information will be kept secure and misuse of the equipment and or of the images may constitute an offence.
- The retention period for images will reflect the purpose of the system and will not be kept for longer than necessary. When there is a criminal investigation images will need to be kept for longer – the original must be retained for 7 years.
- Images will be retained on the system for 30 days unless there is an identified need to extend the period.
- 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 Chair of the Council of any such requirement.

3. Accountability

- Freedom of Information: 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/legal restrictions.
- Subject Access Requests
 - i. Section 7 of the Data Protection Act gives individuals the right to access personal information. Therefore, individuals whose images are recorded have a right to view and to be provided with a copy of the images. There is a form available for this purpose (see Appendix 3)
 - ii. The Council must respond within 40 calendar days and a fee of £10 will be charged.
 - iii. Images of third parties may also have been recorded – and it will be necessary to consider whether or not to obscure their faces.
 - iv. If an external company is being used to edit images, there will be a contractual agreement between the Council and the company.
 - Disclosure of Information to Third Parties.
 - i. Disclosure of images to third parties will be consistent with the code and purpose for which the system was established.

4. Status

- This policy was adopted by Llangunnor Community Council at a meeting of the Council on 16 November 2023.

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Form 1: Disclosure to an Organisation or an Enforcement Agencies.

The purpose of this form is to record the instances of evidence disclosure to law enforcement agencies where Llangunnor Community Council is the data controller.

This form will be retained by Llangunnor Community Council and serves as a log of the evidence disclosure process. The record will be retained for seven years from the disclosure date which is

Name of Requesting Organisation:

Describe What is required.....

.....

.....

For what Location and Camera:

Dates/Times of Incident.....

.....

Why is the information Required.....

.....

For what purpose will the information be used.....

.....

Who will view the images/data

Will a download of the images/data be required:

How long will you keep the downloaded image /data:.....

Name of your data Controller:

Name of Requesting Officer:

Post.....

Signature:.....

Disclosure Record:	
Date and location of disclosure of evidence:
What was provided:
To (Name of Individual(s))
Signature
Position Held:
Provided by (Named Gors-las Representative:
Signature
Date

At the point of disclosure, responsibility for handling and secure storage of the information/data is accepted by the following on behalf of the recipient organisation:
Name:.....

NOTES

Llangunnor Community Council accepts no liability for the admissibility of the evidence following this disclosure.

Recipients are advised to contact the Council promptly if any issues arise concerning the quality or integrity of the evidence as a reproduction of the evidence will not be possible when the source is overwritten.

Record of change or movement of evidence prior to disclosure

Record any instances of copying data from the master copy of the evidence.

THIS RECORD MUST BE RETAINED FOR SEVEN YEARS FOLLOWING DISCLOSURE.