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# CCTV POLICY

## 1. Statement of Purpose

The introduction of CCTV to the Town is for the purpose of providing a safe and secure environment for the benefit of those who, live, work or visit the area. The Town Council adhere to the principle that all citizens have the right to a private life as set out in article 8 of the Human Rights Act 1998 – see Appendix 1 (attached). Nothing in this policy is designed to unreasonably conflict with this article save for those circumstances detailed in the Data Protection Act 2018.

The scheme will be used for the following purposes:

- to prevent, deter and detect crime and disorder and assist the Police, the Town Council and other Law Enforcement Agencies with identification, detection, apprehension and prosecution of offenders
- to reduce the fear of crime and enable residents and visitors to the Town to act without fear of intimidation by individuals or groups
- to assist all “emergency services” to carry out their lawful duties.

## 2. Data Protection Principles

This Policy is to control the management, operation, use and confidentiality of the CCTV system operating in locations detailed in Appendix 2 (attached).

It has been prepared in line with guidance and information contained in the ‘CCTV Code of Practice’ published by the Information Commissioner’s Office (revised 2014 edition).

Cleobury Mortimer Town Council accepts and adopts the data protection principles as set out in Sections 35 through 40 (inclusive) of the Data Protection Act 2018 as follows:

- section 35(1) sets out the first data protection principle (requirement that processing be lawful and fair);
- section 36(1) sets out the second data protection principle (requirement that purposes of processing be specified, explicit and legitimate);
- section 37 sets out the third data protection principle (requirement that personal data be adequate, relevant and not excessive);
- section 38(1) sets out the fourth data protection principle (requirement that personal data be accurate and kept up to date);
- section 39(1) sets out the fifth data protection principle (requirement that personal data be kept for no longer than is necessary);
- section 40 sets out the sixth data protection principle (requirement that personal data be processed in a secure manner).

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Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Where CCTV footage is passed legitimately to a relevant authority, the Town Council will retain a copy for a period proportionate to the matter being investigated.

### **CCTV CODE OF PRACTICE**

#### **Guiding Principles**

1. Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.
2. The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.
3. There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.
4. There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.
5. Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.
6. No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.
7. 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; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.
8. Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
9. Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
10. There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.
11. When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then 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.
12. Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

### 3. The CCTV System

Cleobury Mortimer Town Council has considered the need for using CCTV and has resolved that it is required for the prevention and detection of crime and for protecting the safety of members of the public. It will not be used for other purposes.

The elected Town Council (**CLEOBURY MORTIMER TOWN COUNCIL**) retains overall responsibility for the system.

Day-to-day operational responsibility rests with the Town Clerk in conjunction with any nominated persons authorised to do so by resolution of full Council.

There is a CCTV Handbook of operational procedures to ensure all CCTV system operators follow the same standard.

This Policy must be read and understood by all persons involved in this scheme and individual copies of this Policy will be issued to all system operators. A copy will also be available for reference in the secure recording area.

The CCTV system is not actively monitored. Access to the CCTV system is usually initiated by a third-party request. All requests must go through the Council office. In the event these are outside normal office hours, an emergency contact is provided:

#### **Cleobury Mortimer Town Council**

Cleobury Country Centre  
Love Lane  
Cleobury Mortimer  
DY14 8PE

Office: 01299 271154

Work Mobile: 07483112290

All requests will be considered on a case by case basis and will need to meet the criteria set out in the Data Protection Act 2018. Such requests are submitted retrospectively, usually by the Police or Insurance Companies, who provide a Crime Incident number. Live monitoring will only be undertaken if directed by the Police. Any relevant tape or digital evidence must be in an acceptable format for use at Court hearings. Images for insurance purposes will be charged a fee of £50, which includes £25 for looking at the footage and £25 for providing the footage. Payment must be paid before any access is made and in the event no footage is supplied a refund of £25 is payable.

Any request by an individual member of the public for access to their own recorded image must be made on an 'Access Request Form' (Appendix 3) and is subject to a standard fee of £25 per individual check and download. Forms are available from the Town Council Office and will be submitted to the next meeting of the Town Council for consideration and reply, normally within 40 days. Where access is deemed urgent and this delay would unreasonably prejudice the matter, access can be granted with the express authority of the Chairman, at least two councillors and the Clerk. The matter will then be retrospectively reviewed at the next available Council meeting.

Where requests involve collateral intrusion (third parties included within the footage) consideration regarding the release will be given. If necessary, arrangements will be made to disguise or blur the images in question, this work may need to be contracted out to another organisation.

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Copies of this CCTV Policy are available in accordance with the Freedom of Information Act, as are any reports that are submitted to the Town 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 or breaches of this Policy will be considered by the Town Council, in line with its Complaints Policy.

Cleobury Mortimer Town Council will conduct an annual review of the use of the CCTV system.

#### **4. Policy Review**

This Policy will be subject to annual review by the Town Council in order to ensure that it continues to reflect public interest and meets all legislative requirements.

*Policy Review Date: March 2021*



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Appendix 1

*“ARTICLE 8 HUMAN RIGHTS ACT 1998*

*Right to respect for private and family life*

*1 Everyone has the right to respect for his private and family life, his home and his correspondence.*

*2 There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.”*

Appendix 2

Schedule of CCTV Cameras

Camera Number	Type (ANPR)	Location
D1	HD IP FIXED CAMERA	LOWER STREET
D2	HD IP FIXED CAMERA	THE HURST JUNCTION
D3	HD IP FIXED CAMERA	THE WELLS
D4	HD IP FIXED CAMERA	ST MARY'S CHURCH
D5	HD IP FIXED CAMERA	TALBOT CROSSING
D6	HD IP FIXED CAMERA	TALBOT
D7	HD IP FIXED CAMERA	HEMMS
D8	HD IP FIXED CAMERA	TENBURY ROAD JUNCTION
D9	HD IP FIXED CAMERA	TOILETS/ CHILDE RD CAR PARK
D10	HD IP PTZ DOME CAMERA	SPORTS AND SOCIAL CLUB
D11	HD IP PTZ DOME CAMERA	SKATE PARK AREA
D12	HD IP FIXED CAMERA	PLAY AREA LOVE LANE
D13	HD IP FIXED ANPR	TENBURY ROAD BY VETS
D14	HD IP FIXED ANPR	BAYTON ROAD LION LANE
D15	FIXED CAMERA	CONTROL ROOM FIRE STATION
D17	HD IP FIXED CAMERA	LANGLANDS ROAD
D18	HD IP FIXED CAMERA	PRIMARY SCHOOL ENTRANCE
D19	HD IP FIXED CAMERA	LOWER STREET BY FIRE STATION
D20	HD IP FIXED ANPR	LOWER STREET YIELDSIDE
D21	HD IP FIXED ANPR	LUDLOW ROAD, LARKS RISE
D22	HD IP FIXED ANPR	CATHERTON ROAD JUNCTION
D23	HD IP FIXED CAMERA	LUDLOW ROAD CURDALE
D24	HD IP FIXED CAMERA	CHILDE ROAD
D25	HD IP FIXED CAMERA	TALBOT CAR PARK
D26	HD IP FIXED CAMERA	RONHILL LANE TOWARDS HURST
D27	HD IP FIXED ANPR	RONHILL LANE DOWN HILL

## How to Apply For Access To Information Held On the CLEOBURY MORTIMER CCTV System

These notes explain how you can find out what information, if any, is held about you on the CCTV System. Please note that CCTV images are only retained for **30** days.

### Your Rights

Subject to certain exemptions, you have a right to be told whether any personal data is held about you. You also have a right to a copy of that information in a permanent form except where the supply of such a copy is not possible or would involve disproportionate effort, or if you agree otherwise. Cleobury Mortimer Town Council will only give that information if it is satisfied as to your identity. If release of the information will disclose information relating to another individual(s), who can be identified from that information, the Council is not obliged to comply with an access request unless –

- The other individual has consented to the disclosure of information, or***
- It is reasonable in all the circumstances to comply with the request without the consent of the other individual(s)***

### Cleobury Mortimer Town Council's Rights

Cleobury Mortimer Town Council may deny access to information where the Regulation allows. The main exemptions in relation to information held on the CCTV System are where the information may be held for:

- Prevention and detection of crime***
- Apprehension and prosecution of offenders***

And giving you the information may be likely to prejudice any of these purposes.

### Fee

A fee to deal with this request is chargeable.

### Applications can be made using this form

**The Application Form:** (NB all sections of the form must be completed. Failure to provide all the information may delay your application)

- Section 1**      Asks you to give information about yourself that will help the Council to confirm your identity. Cleobury Mortimer Town Council has a duty to ensure that information it holds is secure and it must be satisfied that you are who you say you are.
- Section 2**      Asks you to provide evidence of your identity by producing TWO official documents (which between them clearly show your name, date of birth and current address) together with a recent full-face photograph of you.
- Section 3**      Asks you to confirm whether you will accept just viewing the information, or if you want a copy of the information.
- Section 4**      You must sign the declaration.
- Section 5**      Further Information required if for specific incident.

When you have completed and checked this form, take or send it together with the required TWO identification documents and photograph to the Town Clerk, Cleobury Mortimer Town Council, Cleobury Country Centre, Love Lane, Cleobury Mortimer, DY14 8PE.

If you have any queries regarding this form, or your application, please telephone 01299 271154.



## SECTION 1 About Yourself

The information requested below is to help the Council (a) satisfy itself as to your identity and (b) find any data held about you.

**PLEASE USE BLOCK LETTERS**

<b>Title</b> (tick box as appropriate)	Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>
<b>Other title</b> (e.g. Dr., Rev., etc.)								
<b>Surname/family name</b>								
<b>First names</b>								
<b>Maiden name/former names</b>								
<b>Sex</b> (tick box)	Male			<input type="checkbox"/>	Female			<input type="checkbox"/>
<b>Height</b>								
<b>Date of Birth</b>								
<b>Place of Birth</b>	Town							
	County							

<b>Your Current Home Address</b> (to which we will reply)		
		Post Code
A telephone number will be helpful in case you need to be contacted.	Tel. No.	

## SECTION 2 Proof of Identity

To help establish your identity your application must be accompanied by **TWO** official documents that between them clearly show your name, date of birth and current address.

For example: a birth/adoption certificate, driving licence, medical card, passport or other official document that shows your name and address.

Also a recent, full face photograph of yourself.

**Failure to provide this proof of identity may delay your application.**





### **SECTION 3 Supply of Information**

You have a right, subject to certain exceptions, to receive a copy of the information in a permanent form. Do you wish to:

(a) View the information and receive a permanent copy

YES / NO

(b) Only view the information

YES / NO

**NOW – please complete Section 4 and then check the ‘CHECK’ box (on page 5) before returning the form.**

### **SECTION 4 Declaration**

**DECLARATION** (to be signed by the applicant)

The information that I have supplied in this application is correct and I am the person to whom it relates.

Signed by

Date

**Warning – a person who impersonates or attempts to impersonate another may be guilty of an offence**



**SECTION 5 To Help us Find the Information**

If the information you have requested refers to a specific offence or incident, please complete this Section.

Please complete a separate box in respect of different categories/incidents/involvement. Continue on a separate sheet, in the same way, if necessary.

Were you: (tick box below)

A person reporting an offence or incident

A witness to an offence or incident

A victim of an offence

A person accused or convicted of an offence

Other – please explain

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Date(s) and time(s) of incident	
Place incident happened	
Brief details of incident	



**Before returning this form:**

Have you completed ALL Sections in this form?

**Please check:**

Have you enclosed TWO identification documents?

Have you signed and dated the form?

**OFFICIAL USE ONLY**

Please complete ALL of this Section (refer to 'CHECK' box above).

Application checked and legible?

Date Application Received

Identification documents checked?

Fee Paid If Applicable

Details of 2 Documents (see page 3)

Method of Payment

Receipt No.

Documents Returned?