



CCTV Policy and Code of Practice

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Issue Number	Date	Details of amendments
1	May 2018	
2	1 st April 2025	Reformatted policy

1. Introduction

- 1.1 This policy aims to ensure that the external CCTV systems installed and operated by EGTC comply with the law and that the scope, purpose and use of the systems are clearly defined.

2. Definitions

- 2.1 For the policy the following definitions will apply:

- a. EGTC refers to the East Grinstead Town Council
- b. CCTV is the closed-circuit television system
- c. CCO is the Cemeteries and Compliance Officer

Ownership and operation

- The CCTV system and all recorded material and copyright are owned by EGTC.

Principles

- The following principles will govern the operation of the CCTV system:
 - The CCTV system will be operated fairly and lawfully and only for the purposes set out in the policy
 - The CCTV system will be operated with due regard for privacy of the individual.

Purpose of the CCTV System

- 2.2 The system is intended to provide an increased level of security for the benefit of those who work in or visit EGTC premises and used to respond to the following key objectives

- To detect, prevent or reduce the incidence of crime
- To reduce the fear of crime
- To create a safer environment
- To gather evidence by a fair and accountable method
- To assist with health and safety and other serious occurrences
- To protect the reputation of the Council to cover the issues of hooliganism, drug dealing, or fly tipping etc.

- As confidence in the system is essential, all cameras are operational and subject to annual maintenance.

3. System Details

- 3.1** The visible CCTV systems comprise of both bullet and dome cameras situated in various locations around East Court Estate which includes East Court Mansion, the Meridian Hall and East Court Public Toilets and King Street Public Toilets, Mount Noddy Cemetery and Sunnyside Barn, which continuously recorded activities in these areas. The images are stored in digital video recorders which are kept in secure, lockable area accessible only by authorised staff.

Installation and Signage

- 3.2** Cameras are not hidden from view and but as East Court is a listed building, thought has been given to the appearance of cameras and in accordance with listed building consent.

- The signs will indicate:
 - The presence of monitoring and recording
 - The ownership of the system
 - Contact telephone number

4. Data Protection Act

- 4.1** The collection, use and storage of personal data are governed by the Data Protection Act 2018. EGTC is registered with the Commissioner as a data controller operating CCTV.
- 4.2** Given that any particular sequence of CCTV recording may include personal data; all such recordings will be treated in accordance with the data protection principles. The principles are set out in full in the appendix.
- 4.3** Data subject's rights, including a right of access to their personal data will be respected where recordings are confirmed to comprise personal data. Where an individual requests access to recordings believed to be their personal data, the matter shall be referred to the HR department.

Data Protection Principles

- 4.4** "Processing" shall be taken to mean all operations including obtaining, recording, storing, analysing or converting into other formats.
- Personal data shall be processed fairly and lawfully

- Personal data shall be obtained only for one or more specified and lawful purposes and shall not be processed in a manner incompatible with those purposes
- Personal data shall be adequate, relevant and not excessive in relation to the purpose for which the data is held
- Personal data shall be accurate and, where necessary, kept up to date
- Personal data shall not be held longer than is necessary in relation to the stated purposes
- Personal data will be processed in accordance with the rights of data subjects under the Data Protection Act 2018
- Appropriate security measures taken to prevent unauthorised or accidental access to, alteration, disclosure or loss and destruction of personal data.

5. CCTV Access and your Rights

- 5.1** Information held on CCTV can be accessed in specific circumstances. Access to images is generally restricted to the Police for evidence or to help tackle crime.
- 5.2** However, you can request access to CCTV images of yourself as long as the request is made in writing and gives enough detail to judge whether or not any CCTV images of you are held. This is in accordance with the Data Protection Act 1998 and the Freedom of Information Act of 2000 requiring public authorities to make any personal data held by them about a member of public available to that person.
- 5.3** If images of you are held, an edited copy will be shown to you. Editing takes place to make sure no one except you appears in the image(s) and that no other data which does not relate to you is shown, for example - a vehicle registration number which is not yours.
- 5.4** If you think you may wish to make a request for access to information held on CCTV, please see the EGTC - procedure for the release of evidence page.
- 5.5** EGTC only retains the CCTV images for 31 days, in accordance with the Data Protection Act. After this time, these images are destroyed. If your request is out of the retention period, it is unlikely that we will be able to provide you with the requested information.

6. Access to Recordings

- 6.1** For operational purposes and in accordance with the stated purposes of the system, only designated staff shall have primary access to CCTV recordings. CCO or Town Clerk may permit the viewing of CCTV recorded materials by Police and other staff where this is necessary in connection with a serious occurrence. The Data Controller or Town Clerk will have authority for making a decision regarding who should have access to this data other than designated staff and ensuring that data is used in accordance with the Data Protection Act.

Access by Data Subjects

- 6.2** CCTV digital images, if they show a recognisable person, are personal data and are covered by the Data Protection Act. Anyone who believes that they have been filmed by CCTV is entitled to ask for a copy of the data, subject to exemptions contained in the Act.

- 6.3** Application in writing to the CCO must include the following information: information:

- Date, approximate time (within 1 hour) of the incident, details of the specified location and brief description
- Full face photograph in order to locate the correct image(s)
- Proof of identity (driving licence/passport containing a photograph);
- Payment of a £10 fee for carrying out the search of the images requested.

Third Party requests

- 6.4** Third Parties can make requests to view CCTV images / data for the following:

- Providing evidence in criminal proceedings
- The prevention and detection of crime
- The apprehension and prosecution of offenders
- Providing evidence in civil proceedings (e.g. insurance companies requesting CCTV evidence)

- 6.5** Third Parties are required to show adequate grounds for disclosure of data. These Third Parties may include, but are not limited to

- The Police
- Statutory Authorities (Local Authority, Customs & Excise, Trading Standards etc)

- Solicitors
- Claimants in civil proceedings
- Accused persons or defendants in criminal proceedings

7. Request Refusals

7.1 If the release of the CCTV information will disclose information relating to another individual(s), who can be identified from that information, EGTC 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 circumstances to comply with the request without the consent of the other individual(s)

7.2 EGTC may also deny access to information where the Act allows, and where giving this information is likely to prejudice any of these purposes.

7.3 Where it is not possible to provide this information, the reason why this has been refused will be given.

8. Retention and Disposal of Recorded Materials

8.1 CCTV recordings and other materials produced from them shall be retained for 31 days unless an incident is recorded which requires further investigation. In the latter case, recordings shall be kept for a period of three years from the date of recording.

8.2 All media no longer required, on which recordings are made will be returned to the CCO to be deleted and the appropriate details entered in the destruction records.

9. Breaches of the Code and Complaints

9.1 A copy of this policy will be made available to anyone requesting it. Breaches of this policy should be reported immediately to the Town Clerk. Any complaint concerning misuse of the system will be treated seriously and fully investigated.

9.2 Breaches of this policy shall be dealt with in accordance with the appropriate disciplinary policy. Serious breaches of this policy may result in criminal liability on behalf of the individual which may also be considered as gross misconduct.

Adoption date:

Reviewed:

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