

Surveillance Camera Technologies

Policy

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1, The General Data Protection Regulation ((EU) 2016/679), the Data Protection Act 2018 and any applicable laws, regulations, secondary legislation relating to data protection, as amended or updated from time to time, in the UK

2 defined as 'Data Protection Impact Assessments' under Data Protection Legislation

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1. Introduction

Warwickshire County Council has operated Closed-Circuit Television (CCTV) cameras in its buildings for a number of years. With the increasing use of CCTV and other surveillance camera technologies being introduced, there has been a need to reassess our policy on how these devices are managed. This revised Surveillance Camera Technologies Policy takes account of these changes and new requirements, introduced by the Surveillance Camera Code and the ICO Code.

The Surveillance Camera Code was introduced in 2013 to “ensure that individuals and wider communities have confidence that surveillance cameras are deployed to protect and support them, rather than spy on them.” Key to achieving this purpose is ensuring that Surveillance Camera Technologies are used in pursuit of a legitimate aim to meet a pressing need and that any impact on privacy is balanced against such aims.

The Information Commissioner’s Office (ICO) data protection code of practice for surveillance cameras and personal information. The Code was updated in 2015, providing good practice advice for those involved in operating CCTV and other surveillance camera technologies, including how organisations can meet their data protection obligations when using these devices.

The County Council previously operated fixed cameras, primarily within public buildings; however, there has been an increase in the use of cameras at other locations such as recycling centres, country parks, and on fire engines county roads, as well as new technologies such as Automatic Number Plate Recognition (ANPR) and body-worn cameras. These Surveillance Camera Systems are being operated by different officers members of staff across the whole of the County Council who all have a collective responsibility to ensure that the Surveillance Camera Code and ICO Code are followed.

Principle 5 of the Surveillance Camera Code states *“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.”*

This Policy sets out for the public and County Council staff how the Scheme operates and what rights people have in respect of access to images and privacy. There is also separate procedural guidance available for County Council employees on how to carry out their responsibilities in relation to Surveillance Camera Technologies and meet the requirements of this Policy; the Surveillance Camera Technologies Procedural Guidance.

This Policy takes into account the County Council’s obligations under all of the legislation listed in section 12 of this Policy, including but not limited to the Human Rights Act 1998 and the principles of good information handling as contained in the Data Protection Legislation.¹

Anyone misusing the system, or not complying with this Policy or the Procedural Guidance, may be subject to disciplinary action. The Surveillance Camera Manager will seek legal advice and any action will be conducted in accordance with the County Council’s disciplinary policy or legal proceedings, as appropriate.

This Policy only relates to overt Surveillance Camera Systems. It does not cover covert surveillance carried out for enforcement purposes. Covert surveillance is

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covered under the County Council's "Policy on the Use of Surveillance and Covert Human Intelligence Sources".

1.1 Responsibility for the Scheme

The Scheme is the responsibility of the County Council. The majority of Surveillance Camera Systems are owned and operated by the County Council directly; however, there are a number of systems that are operated by third parties on the County Council's behalf. For the avoidance of doubt, the County Council is responsible for the management, administration and security of its Surveillance Camera Systems, whether they are operated directly by the County Council or otherwise.

1.2 Mission Statement

To inspire public confidence by ensuring that all County Council Surveillance Camera Systems are operated in a manner that will secure their consistent effectiveness and preserve the civil liberty of law abiding citizens at all times.

1.3 Definitions

"Authorised Employee(s)" are employees of the County Council who are specifically designated to carry out the physical operation of the Surveillance Camera Systems including processing the Data generated (as set out in section 6 of this Policy). For the purposes of the Surveillance Camera Code, Authorised Employees are "system users".

"County Council" means Warwickshire County Council

"Data" means any information of whatever nature, including that about a person in the form of pictures, and any other associated linked or processed information, collected and processed as a consequence of the operation of the Surveillance Camera Systems, which shall include, without limitation, any Personal Data.

"Data Controller" means a person who (either alone, jointly or in common with other persons) determines the purposes for which and the manner in which any Personal Data is, or is about to be, processed. The Data Controller for the Scheme is the County Council.

"External Operators" means any third party organisations appointed by the County Council to carry out the physical operation of the Surveillance Camera System and/or associated security, maintenance and monitoring services.

"ICO Code" means the Information Commissioner's Code of Practice entitled "In the picture: A data protection code of practice for surveillance cameras and personal information", as revised from time to time.

"Incident" means an activity that raises cause for concern that the safety or security of an individual or property may be compromised or that an offence has been, is being or is about to be, committed, or that an occurrence has taken place warranting specific action by an Operator/Authorised Employee, as appropriate.

“Operators” are employees of the County Council who are specifically designated to carry out the physical operation of the Surveillance Camera Systems but excluding processing the Data generated. (as set out in section 6 of this Policy)

“Personal Data” means Data which relates to a living individual who can be identified either:

- a) from that Data or;
- b) from that Data and other information which is in the possession of or is likely to come into the possession of, the Data Controller.

“Policy” means this Surveillance Camera Technologies Policy.

“Procedural Guidance” means the County Council’s Surveillance Camera Technologies Procedural Guidance.

“Scheme” means the totality of the arrangements for the Surveillance Camera Systems operated by the County Council, including but not limited to the management, administration and security of the systems.

“Scheme Purposes” means the purposes for which the Scheme was established, as set out in section 3 of this Policy.

“Surveillance Camera Code” means the statutory Surveillance Camera Code of Practice issued under the Protection of Freedoms Act 2012, as revised from time to time.

“Surveillance Camera Co-ordinator” means those employees who have responsibilities to assist the Surveillance Camera Manager in the management, administration and security of the Surveillance Camera Systems (as set out in section 6 of this Policy).

“Surveillance Camera Device” means an individual camera or associated equipment for monitoring, transmission and controlling purposes.

“Surveillance Camera Manager” means the person with overall responsibility for the management, administration and security of the Surveillance Camera Systems (as set out in section 6 of this Policy).

“Surveillance Camera System” means a collection of connected Surveillance Camera Devices at any given location that operate to achieve the Scheme Purposes.

“Surveillance Camera Technologies” means all forms of technology that are able to capture, record and process images of persons and/or other forms of personal data, as set out in section 2 of this Policy.

2. Surveillance Camera Technologies

This Policy shall apply to all forms of Surveillance Camera Technologies operated by the County Council, including the following:

- CCTV i.e. static fully functional (including, pan, tilt and zoom) cameras, which may transmit images to a control, monitoring and/or recording facility, including cameras activated once triggered by motion;

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- Automatic Number Plate Recognition (ANPR) cameras, which capture and interpret the vehicle registration number of vehicles;
- Body worn cameras that are fully functional cameras, which may transmit images to a control, monitoring and/or recording facility but are worn on the person rather than being fixed at any particular location.

If the County Council introduces, or seeks to introduce, new forms of surveillance technology that capture Personal Data but are not listed above, the provisions of this Policy will apply and the County Council will consider whether or not this Policy requires amendments to take account of the specifics of the new technology.

3. Purposes of the Surveillance Camera Technologies

Principle 1 of the Surveillance Camera Code states *“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.”*

The County Council makes use of Surveillance Camera Technologies to achieve the following purposes:

- Enhance security of Warwickshire County Council premises;
- Protect the health and safety of staff;
- Prevent and detect crime;
- Assist in the identification of offenders leading to their arrest and successful prosecution;
- Discourage aggressive or violent behaviour towards staff;
- Reduce staff fears of crime or aggressive behaviour; and
- Manage traffic on county roads.

4. Use of Surveillance Camera Technologies

4.1 Principles of Use

The County Council acknowledges that the individual’s right to privacy is paramount when considering the use of Surveillance Camera Technologies and how they are operated. Therefore the County Council will have due regard to the privacy of individuals in the operation of the Scheme.

Principle 2 of the Surveillance Camera Code states *“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.”*

Principle 12 of the Surveillance Camera Code states *“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.”*

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The Scheme will be operated fairly, within the applicable law and only for the Scheme Purposes. All Surveillance Camera Co-ordinators/Operators/Authorised Employees of Surveillance Camera Systems will be made aware of the Scheme Purposes and will ensure that they only use the Surveillance Camera Systems to achieve those purposes.

The County Council will position Surveillance Camera Devices to only capture images that are relevant to the Scheme Purposes. In doing so, the County Council will give careful consideration when positioning cameras in areas where people would have a heightened expectation of privacy. The County Council will only agree to such positioning in exceptional circumstances where there is a legitimate, pressing need which outweighs the impact on privacy. In addition, the County Council will ensure that the siting of the Surveillance Camera Devices produces images of suitable quality, whilst taking into account technical and environmental issues.

Surveillance Camera Systems will only be operated by trained and authorised personnel. It will be the responsibility of the Surveillance Camera Manager and Surveillance Camera Co-ordinators to deliver appropriate training or arrange for appropriate training to be delivered. If wireless transmission systems are used to control equipment within a Surveillance Camera System, sufficient safeguards will be in place to protect them from being intercepted.

4.2 Sound

Sound recording will only be permitted in limited circumstances and where the privacy impact assessment indicates that such use is justified. Where sound is permitted, it will be activated by the pressing of a button when the need for sound arises and will not be recording sound continuously.

4.3 Signage

The Scheme aims to provide surveillance of public areas in order to fulfil the stated Scheme Purposes. The area protected by a particular Surveillance Camera System will be indicated by the presence of signs. The signs will be placed so that the public are aware that they are entering a zone which is covered by a Surveillance Camera System. The signs will state that the County Council is responsible for the Scheme, the Scheme Purposes and provide a contact telephone number. The contact telephone number will be the number of an Authorised Employee with responsibility for managing that Surveillance Camera System.

In the case of body worn cameras, it will be clear to members of the public when they are being recorded because operatives will wear a badge that indicates the presence of a camera; the camera will be visible and the person operating the camera will communicate that it is recording.

4.4 Automatic Number Plate Recognition (ANPR)

If the County Council operates an ANPR system that holds a reference database, it will ensure that the data held on the database is accurate, up-to-date and that the database holds the information for no longer than necessary.

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5. Privacy Impact Assessments (PIAs)

The County Council carries out privacy impact assessments² to ensure that the use of Surveillance Camera Technologies is justified. These are to be carried out for every Surveillance Camera System that the County Council operates or is operated on its behalf.

All PIAs are sent to the Surveillance Camera Manager to either approve the PIA, reject the PIA or approve the PIA subject to further actions being completed. The Surveillance Camera Manager will seek the advice of the Data Protection Officer. If the PIA is rejected, the Surveillance Camera System will not be implemented.

Where a Surveillance Camera System is already in place prior to the introduction of this Policy, then a PIA will be carried out to ensure that its continued use is justified. If the Surveillance Camera System is approved subject to further actions being completed, then it is at the discretion of the Surveillance Camera Manager as to whether the use of that system should be suspended until the further actions have been undertaken. Alternatively, if the Surveillance Camera Manager rejects the PIA, then the use of the Surveillance Camera System will cease.

PIAs will be reviewed annually to ensure that the use of the Surveillance Camera System remains proportionate and justified. PIAs will be published on the County Council's website. If, as a consequence of any review, the Surveillance Camera Manager determines that the use is no longer justified then they may reject the PIA and the use of the Surveillance Camera System will cease.

6. Responsibilities

6.1 Surveillance Camera Technologies Roles

The County Council has designated the following roles with responsibilities for Surveillance Camera Technologies:

- The Surveillance Camera Manager

The Surveillance Camera Manager has overall responsibility for the Scheme. The current Surveillance Camera Manager is the Head of Information Assets who is also

Principle 4 of the Surveillance Camera Code states *“There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.”*

Principle 10 of the Surveillance Camera Code states *“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.”*

the Senior Information Risk Owner.

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- The Surveillance Camera Co-ordinators

The Surveillance Camera Co-ordinators support the Surveillance Camera Manager by ensuring that they and the Operators / Authorised Employees carry out their duties in an efficient and responsible manner, and in accordance with the Scheme Purposes.

There is a Surveillance Camera Co-ordinator for each of the groups within the County Council.

The current Surveillance Camera Co-ordinators are the Customer Liaison Manager (Communities Group), the Station Commander – Property Manager (Fire and Rescue), Service Manager Service Development and Assurance (Adults), Social Care and Support (People Group) and the Facilities Service Manager (Resources).

- Operators

Operators are those individual members of staff within the County Council that are responsible for operating Surveillance Camera Systems within their area of work however are not authorised to view, access and/or disclose images/footage to third parties.

- Authorised Employees are those individual members of staff within the County Council that are responsible for operating Surveillance Camera Systems within their area of work and are specifically authorised by the Surveillance Camera Manager to view, access, and /or disclose images/footage to third parties.

- External Operators

External Operators are third parties that carry out maintenance and/or monitoring services in relation to Surveillance Camera Systems on behalf of the County Council. The County Council will ensure that External Operators are obliged to comply with the same requirements as Operators / Authorised Employees under this Policy either via the service contract or a separate data processing agreement.

All third party operators will comply with the Security Industry Authority (SIA) licensing requirements as appropriate.

6.2 Surveillance Camera Manager Responsibilities

The Surveillance Camera Manager is responsible for the following in respect of the Scheme:

- Approving PIAs;
- Ensuring that a programme of training is in place;
- Ensuring that the necessary controls are in place to safeguard compliance with the relevant legal requirements and this Policy;
- Carrying out regular reviews of the procedures;
- Dealing with breaches of codes and disciplinary measures;
- Being accountable for the Scheme and providing periodic progress reports;

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- Proactively publishing information about the purpose, operation and effect of a system;
- Considering the publication of other information, such as PIAs, performance statistics, audits;
- Reviewing retention periods;
- Considering approved standards in relation to Surveillance Camera Technologies.

The Surveillance Camera Manager may delegate any of their functions to the Surveillance Camera Co-ordinators or any other officer; however, they shall remain ultimately responsible for ensuring that the above responsibilities are fulfilled.

6.3 Surveillance Camera Co-ordinators' Responsibilities

The Surveillance Camera Co-ordinators' responsibilities include:

- Conducting and reviewing PIAs;
- Ensuring training is provided to Operators / Authorised Employees;
- Ensuring technical and operational matters are resolved;
- Authorising access to recorded images for third parties and dealing with Subject Access Requests;
- Keeping records relating to the equipment and its servicing;
- Procuring new systems in accordance with the County Council's policies.

The Surveillance Camera Co-ordinators may delegate any of their functions to the relevant Operators / Authorised Employees or any other officer, as appropriate. However, they shall remain ultimately responsible for ensuring that the above responsibilities are fulfilled.

If the Surveillance Camera Co-ordinators have any queries regarding the discharge of their responsibilities they should escalate these to the Surveillance Camera Manager

6.4 Operators' Responsibilities

Operators have the responsibilities below in relation to Surveillance Camera Technologies although it should be noted that authorisation to view, access, and /or disclose images/footage to third parties has only been granted to Authorised Employees.

- Complying with this Policy, the Procedural Guidance and any other relevant documentation when operating Surveillance Camera Systems;
- Being the point of contact for the public;
-
- Being proficient in the control and use of the Surveillance Camera Devices, including recording and playback facilities ;
- Ensuring that the Surveillance Camera Devices are working on a day-to-day basis;
- Bringing to the attention of the Surveillance Camera Co-ordinator any equipment defect that may occur.

If Operators have any queries regarding the discharge of their responsibilities they should escalate these to their Group Surveillance Camera Co-ordinator.

6.5 Authorised Employees

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Authorised Employees have the responsibilities below in relation to Surveillance Camera Technologies including authorisation to view, access, and disclose images/footage to third parties.

- Complying with this Policy, the Procedural Guidance and any other relevant documentation when operating Surveillance Camera Systems;
- Being the point of contact for the public;
- Viewing, accessing and disclosing images/footage in relation to subject access requests or other valid requests for information;
- Being proficient in the control and use of the Surveillance Camera Devices, including recording and playback facilities;
- Ensuring that the Surveillance Camera Devices are working on a day-to-day basis;
- Bringing to the attention of the Surveillance Camera Co-ordinator any equipment defect that may occur.

If Authorised Employees have any queries regarding the discharge of their responsibilities they should escalate these to their Group Surveillance Camera Co-ordinator

6.6 Joint Responsibilities

The following responsibilities are held by the Surveillance Camera Manager and the Surveillance Camera Co-ordinators jointly, as follows:

- Ensuring training of Operators and Authorised Employees is provided;
- Annual assessment;
- Checks and audits to ensure that this Policy is being complied with;
- Holding information in relation to the location of Surveillance Camera Systems;
- Annual review.

6.7 Training

All persons employed/appointed to act as Operators and Authorised Employees of a Surveillance Camera System will be trained to ensure that they comply with this Policy. Training will include details of the County Council's policies for recording and retaining images and Authorised Employees will receive training in the handling of images securely, and dealing with image access requests from the data subjects, the police and third parties.

6.8 The Annual Assessment

An annual assessment of the County Council's Surveillance Camera Systems will be undertaken by the Surveillance Camera Manager, to evaluate the effectiveness of the systems. The Surveillance Camera Manager will give consideration to publishing the outcome of any assessment.

For the avoidance of doubt, this assessment is intended to assess the technical standards of the Surveillance Camera Systems only i.e. whether or not the Surveillance Camera Devices are adequate to achieve the Scheme Purposes. If the Surveillance Camera Manager determines that one or more Surveillance Camera Devices are not adequate, they may direct that such devices are no longer used.

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6.9 Audits

Regular random audits will check the operation of the Scheme and the compliance with this Policy. An individual audit will consider the following:

- Whether the Scheme Purposes are being achieved;
- Whether the release of images has been appropriate;
- Any complaints received in relation to a particular Surveillance Camera System;
- Compliance with procedures by Operators/Authorised Employees; and
- Licence requirements of any External Operators.

6.10 Annual Review

The annual review is intended to review the whole Scheme, including this Policy, in order to ensure that it remains necessary, proportionate and effective in meeting the Scheme Purposes. If the Surveillance Camera Manager concludes that the Scheme does not achieve its purposes, they will ensure that appropriate modifications are made to ensure that it does.

7. Access to Images

Principle 7 of the Surveillance Camera Code states *“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.”*

Principle 9 of the Surveillance Camera Code states *“Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.”*

Principle 11 of the Surveillance Camera Code states *“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.”*

7.1 Live images

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Monitors displaying live images will not be viewed by anyone other than Authorised Employees of the County Council (or authorised employees of External Operators, as appropriate) and only if deemed necessary to achieve the Scheme Purposes.

Surveillance Camera Systems will not be used to monitor the progress of individuals in the ordinary course of lawful business. Individuals will only be continuously monitored if there is reasonable cause to suspect that an offence has been, or may be about to be, committed.

Live monitoring that does not focus on specific individuals may take place in order to achieve some of the Scheme Purposes e.g. traffic management.

7.2 Recorded images

Access to recorded images will be restricted to those staff who need to have access in order to achieve the Scheme Purposes or to respond to an Incident and who have been authorised by the Surveillance Camera Manager to do so namely Authorised Employees. Viewing of the recorded images will take place in a restricted area. Non-authorised employees will not be allowed to have access to that area when viewing is taking place.

Recorded images will only be disclosed to third parties who intend processing the Data for purposes which are deemed compatible with the Scheme Purposes. Data will not be disclosed for commercial or entertainment purposes.

Anybody who wishes to seek a copy of camera images held by the County Council should contact the number displayed on the signs in the first instance, in order for the Authorised Employee to ensure that the footage is secured and not overwritten. This does not override the need for a formal request to be submitted in accordance with this Policy and does not guarantee that the footage will be released.

A request for footage should provide sufficient information to locate the Data requested (e.g. within 30 minutes of a given date and place). If insufficient information is provided, the County Council may refuse the request until such information has been provided to enable it to comply with it.

Formal requests should be made via any of the access to information routes detailed on the County Council's website at <http://www.warwickshire.gov.uk/accesstoinformation>. The request will be logged on the County Council's information request recording system (Manage My Requests (MMR)) by the Authorised Employee.

Where the County Council considers it appropriate to comply with the request, the Authorised Employee will provide the images in a permanent form unless any of the following circumstances apply:

- The requestor agrees to view the images only at the County Council's offices; or
- In exceptional circumstances where the supply of a copy in a permanent form is not possible or would involve disproportionate effort.

If the requestor agrees to viewing the footage only, but subsequently asks for a copy to be provided (either before or after the viewing has taken place), the requestor will be entitled to a copy without making a further request.

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Images must be secured in transit, signed for before release and all media containing personally identifiable information / data must be encrypted.

7.3 Requests under the Freedom of Information Act (FOIA) /Environmental Information Regulations (EIR)

If a request for images is received via a FOIA/EIR request and the person requesting it is the subject of the images, the request will be exempt from the FOIA/EIR and will be dealt with under the Data Protection Legislation (see below).

Any other requests not involving images that would result in the identification of individuals will be disclosed in accordance with the provisions of the FOIA/EIR, but only if it does not breach Data Protection Legislation.

7.4 Requests under Data Protection Legislation

An individual can make a request for images containing their own personal data under Data Protection Legislation. All staff involved in operating a Surveillance Camera System will be able to recognise a request for access to recorded images by data subjects and be aware of individual's rights. The individual is entitled to a response to the subject access request within one month of the County Council receiving a request and identity of the individual confirmed.

Where third parties are also shown with the images of the person who has made the subject access request, consideration will be given as to whether it would be appropriate to disclose the images. The majority of County Council Surveillance Camera Systems do not currently have the ability to obscure images and therefore it is not normally possible to remove data of third parties. In such circumstances, the images may have to be completely withheld from the requestor.

There may also be requests for images where the use is required for legal proceedings that have either been started or are contemplated. In such circumstances, the request will be considered under Paragraph 5 of Schedule 2 of the Data Protection Act 2018.

In addition, statutory bodies may request copies of images to assist with enforcement action. The County Council will comply with the request under paragraphs 2 of Schedule 2 of the Data Protection Act 2018, if it is satisfied that the reasons and statement of purpose, accord with the Scheme Purposes. The Personal Data will be treated as evidential exhibits.

The County Council will not unduly obstruct a bone fide third party investigation to verify the existence of relevant Data. Furthermore, it will not destroy Data that is relevant to previous or pending search request which may become the subject of a subpoena.

Where data is being collected for the purposes of crime detection, the County Council will seek to provide clear images that may be used by enforcement agencies, such as the Police.

Images that the prosecutor in a criminal trial chooses not to use, will be disclosed to a defendant as unused material if requested by a solicitor.

7.5 Use of recorded images

Recorded images should not in normal circumstances be made more widely available, for example, they should not be made available to the media or placed on the internet.

If it is intended that the images will be made more widely available, that decision should be made by the Surveillance Camera Co-ordinator and the reason documented.

Surveillance images will not be released to the media for entertainment purposes or placed on the internet.

7.6 An individual's right to object to processing

All staff involved in operating the equipment must be able to recognise a request from an individual to object to processing including on the basis that it is an unwarranted interference with the interests or rights of an individual (Section 9 of the Data Protection Act 2018).

In relation to a request from an individual objecting to processing on the basis that it is an unwarranted interference with the interests or rights of an individual the Data Protection Officer's response should indicate whether they will comply with the request or not.

The Data Protection Officer must provide a written response to the individual within 21 days of receiving the request setting out their decision on the request.

If the Data Protection Officer decides that the request will not be complied with, they must set out their reasons in the response to the individual.

A copy of the request and response will be retained.

8. Costs and Charging for Access to Images

Costs and charges for subject access requests and requests under the Freedom of Information Act will only be levied in accordance with the relevant statutory provisions and shall not exceed the following:

- For subject access requests, no charges will be levied for the provision of a copy of images / footage unless the request is manifestly unfounded, excessive or repetitive in which case the County Council may charge a 'reasonable fee' based on the administrative costs of providing the information
- For FOIA requests, no more than the cost to the organisation of communicating the information (e.g. costs of postage, disc provided on, etc.), which cannot normally include staff time or time spent searching for the information.

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9. Retention

Principle 6 of the Surveillance Camera Code states *“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.”*

Images that are not required for the purpose(s) for which the Surveillance Camera System is being used will not be retained for longer than is necessary and in any event no longer than 30 days. On some occasions, images may need to be retained for longer periods, if required as part of a formal investigation. Whilst images are retained, access to and security of the images will be controlled in accordance with the requirements of the Data Protection Legislation.

In order for recorded material to be admissible in evidence, total integrity and continuity must be maintained at all times.

Security measures will be taken to prevent unauthorised access to, alteration, disclosure, destruction, accidental loss or destruction of recorded material.

9.1 Quality and Maintenance

In order to ensure that clear images are recorded at all times, the Surveillance Camera Devices for making recordings will be maintained in good working order with regular servicing in accordance with the manufacturer's instructions. In the event of a malfunction, the equipment will be repaired within specific timescales which will be set out within any relevant maintenance agreement. Documentation relating to the servicing and maintenance of equipment shall be retained by the Surveillance Camera Co-ordinator.

10. Technical Standards

Principle 8 of the Surveillance Camera Code states *“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.”*

Procurement of Surveillance Camera Systems will meet the following standards:

Certifications

- Security Systems and Alarms Inspection Board (SSAIB)
- Security Industry Authority Licenced with Public Surveillance Certificates (CCTV) Licences
- National Security Inspectorate (NSI)

1, The General Data Protection Regulation ((EU) 2016/679), the Data Protection Act 2018 and any applicable laws, regulations, secondary legislation relating to data protection, as amended or updated from time to time, in the UK

2 defined as 'Data Protection Impact Assessments' under Data Protection Legislation

Information and Technical Security

A detailed assessment of the proposed solution will be undertaken to establish any vulnerabilities and/or poorly implemented protocols/solutions in order for the County Council to gain an understanding of the organisation's approach to security.

Technical Evaluation

The proposed system will go through the County Council's 'Technical Design Authority' process for assessment and approval in order to confirm that it will be compatible with our existing infrastructure.

Communications Infrastructure

The County Council will establish that the system meets its communications infrastructure requirements.

11. Published Information

Principle 3 of the Surveillance Camera Code states *"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."*

The general public can find further information about the purpose, operation and effect of the Scheme by referring to the County Council's 'Surveillance Camera Technologies' webpage. In addition, links are provided on that page for members of the public to make requests for images.

Privacy impact assessments PIAs will be published on the County Council's Surveillance Camera Technologies webpage and the Surveillance Camera Manager will consider publishing any other information related to Surveillance Camera Technologies that may be of interest to members of the public.

11.1 Point of contact

If members of the public have any queries on the Scheme that are not covered by this Policy, or wish to make a complaint they may write to the Surveillance Camera Manager at the following address:

The Surveillance Camera Manager
Warwickshire County Council
Shire Hall
P O Box 9
Warwick
CV34 4RL

1, The General Data Protection Regulation ((EU) 2016/679), the Data Protection Act 2018 and any applicable laws, regulations, secondary legislation relating to data protection, as amended or updated from time to time, in the UK

2 defined as 'Data Protection Impact Assessments' under Data Protection Legislation

Complaints will either be dealt with under the County Council's corporate complaints process or referred to the Data Protection Officer to be dealt with under the County Council's Access to Information policy.

A record of the number of complaints and/or enquiries received will be maintained by the County Council together with an outline of the action taken. A report on the numbers of complaints will be provided to the Surveillance Camera Manager in order to assess public reaction to, and opinion of, the use of the Surveillance Camera Systems. The annual review will include consideration of the numbers of complaints received, the time taken to acknowledge and respond to complaints, the method of receiving and handling complaints and the degree of satisfaction in handling complaints.

12. Legislation

- General Data Protection Regulation ((EU) 2016/679)
- Data Protection Act 2018
- Human Rights Act 1998
- Criminal Procedures and Investigations Act 1996
- Freedom of Information Act 2000 (FOIA)
- Surveillance Camera Code of Practice 2013
- Information Commissioner's Office (ICO) In the picture: A data protection code of practice for surveillance cameras and personal information
- Information Commissioner's Office (ICO) Conducting privacy impact assessments code of practice

13. Review

This Policy will be reviewed every 2 years or earlier if changes are identified as a result of new legislation or guidance.

1, The General Data Protection Regulation ((EU) 2016/679), the Data Protection Act 2018 and any applicable laws, regulations, secondary legislation relating to data protection, as amended or updated from time to time, in the UK

2 defined as 'Data Protection Impact Assessments' under Data Protection Legislation