

Monmouthshire County Council CCTV Policy

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ABOUT THIS POLICY

Monmouthshire County Council have in place a Closed-Circuit Television (CCTV) surveillance system. This policy details the purpose, use and management of the CCTV system and details the procedures to be followed in order to ensure that we comply with relevant legislation and Codes of Practice where necessary.

This policy and the procedures therein detailed, applies to all of the Monmouthshire County Council's CCTV systems. CCTV images are monitored and recorded in strict accordance with this policy.

If you have any questions on this procedure, please email security@monmouthshire.gov.uk or dataprotection@monmouthshire.gov.uk

KEY POINTS

1. Monmouthshire County Council use closed circuit television (CCTV) images for the prevention, identification and reduction of crime and to monitor the buildings in order to provide a safe and secure environment for staff and visitors, and to prevent the loss of or damage to buildings and property.
2. The CCTV system is owned by the Monmouthshire County Council and managed by third parties and/or its appointed agents. Monmouthshire County Council is the system operator, and data controller, for the images produced by the CCTV system, and is registered with the Information Commissioner's Office, Registration number Z8596280.
3. The CCTV system is operational and is capable of being monitored for 24 hours a day, every day of the year.

Purpose

4. This Policy governs the installation and operation of all CCTV cameras at Monmouthshire County Council.
5. CCTV surveillance is used to monitor and collect visual images for the purposes of:
 - protecting the buildings and assets, both during services (externally) or office hours, and after hours;
 - promoting the health and safety of staff and visitors;
 - reducing the incidence of crime and anti-social behaviour (including theft and vandalism);
 - assisting in identifying, apprehending and prosecuting offenders; and
 - ensuring that the rules are respected so that the site/s can be properly managed.

Scope

6. This policy applies to Monmouthshire County Council and also to any separate legal entities owned and controlled by them which occupy premises controlled by the CCTV system.
7. This policy is applicable to, and must be followed by, all Monmouthshire County Council employees and users of Monmouthshire County Council premises. Failure to comply could result in disciplinary action, including dismissal.
8. All staff and involved in the operation of the CCTV System will be made aware of this policy and will only be authorised to use the CCTV System in a way that is consistent with the purposes and procedures contained therein.
9. All systems users with responsibility for accessing, recording, disclosing or otherwise processing CCTV images will have relevant skills and training on the operational, technical and privacy considerations and fully understand the policies and procedures.

Definitions

CCTV – closed circuit television camera. A TV system in which signals are not publicly distributed but are monitored, primarily for surveillance and security purposes and where access to their content is limited by design only to those able to see it.

Covert surveillance - observation, and/or recording, carried out without the subject's knowledge, and may be done using cameras or devices that are not visible to the subject.

Data controller - the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of CCTV images.

Data Protection Act 2018 (DPA) - UK data protection framework, regulating the processing of information relating to individuals.

Facial/ automated recognition - the use of camera technology to identify individuals' faces and to make automated matches.

General Data Protection Regulation 2016 (GDPR) - European Union data protection framework, regulating the processing of information relating to individuals as incorporated into the DPA.

ICO CCTV Code of Practice 2017 - recommendations on how the legal requirements of the Data Protection Act 1998 can be met when using CCTV, issued by the Information Commissioner's Office. The guidance will be updated to comply with current legislation.

Security Industry Authority (SIA) - the organisation responsible for regulating the private security industry in the UK, under which private use of CCTV is licensed. It is an independent body reporting to the Home Secretary, under the terms of the [Private Security Industry Act 2001](#).

Surveillance Camera Code of Practice 2013 - statutory guidance on the appropriate and effective use of surveillance camera systems issued by the Government in accordance with Section 30 (1) (a) of the Protection of Freedoms Act 2012

System Operator - person or persons that take a decision to deploy a surveillance system, and/or are responsible for defining its purpose, and/or are responsible for the control of the use or the processing of images or other information obtained by virtue of such system.

System User - person or persons who may be employed or contracted by the system operator who have access to live or recorded images or other information obtained by virtue of such a system.

Policy

Policy statement

10. Monmouthshire County Council will operate its CCTV system in a manner that is consistent with respect for individuals' privacy.
11. Monmouthshire County Council will comply with Information Commissioner's Office (ICO) CCTV Code of Practice 2017 to ensure CCTV is used responsibly and safeguards both trust and confidence in its continued use.
12. The CCTV system will be used to observe the areas under surveillance in order to identify incidents requiring a response. Any response should be proportionate to the incident being witnessed.
13. The use of the CCTV system will be conducted in a professional, ethical and legal manner and any diversion of the use of CCTV security technologies for other purposes is prohibited by this policy.
14. Cameras will be sited so they only capture images relevant to the purposes for which they are installed. In addition, equipment must be carefully positioned to:
 - cover the specific area to be monitored only;
 - keep privacy intrusion to a minimum;
 - ensure that recordings are fit for purpose and not in any way obstructed (e.g. by foliage);
 - minimise risk of damage or theft.
15. CCTV will **not** be used for the purposes of live streaming.

Location and signage

16. Cameras are sited to ensure that they cover the premises as far as is possible.
17. The location of equipment is carefully considered to ensure that images captured comply with data protection requirements. Every effort is made to position cameras so that their coverage is restricted to Monmouthshire County Council premises, which may include outdoor areas.
18. Signs are placed at all pedestrian and vehicular entrances in order to inform staff, other authorised users of the building, visitors and members of the that CCTV is in operation.

19. The signage indicates that monitoring and recording is taking place, for what purposes, the hours of operation, who the system owner is and where complaints/questions about the systems should be directed.

Monitoring and recording

20. Cameras are monitored in a secure private office.
21. Images are recorded on secure servers and are viewable by authorised Monmouthshire County Council staff only. Additional staff may be authorised by the Chief Information Security Officer security@monmouthshire.gov.uk to monitor cameras sited within their own areas of responsibility on a view only basis.
22. Recorded material will be stored in a way that maintains the integrity of the image and information to ensure that metadata (e.g. time, date and location) is recorded reliably, and compression of data does not reduce its quality.
23. Viewing monitors should be password protected and switched off when not in use to prevent unauthorised use or viewing.
24. The cameras installed provide images that are of suitable quality for the specified purposes for which they are installed and all cameras are checked daily to ensure that the images remain fit for purpose and that the date and time stamp recorded on the images is accurate.
25. All images recorded by the CCTV System remain the property and copyright of Monmouthshire County Council

Covert surveillance

26. Covert surveillance is the use of hidden cameras or equipment to observe and/or record the activities of a subject which is carried out without their knowledge.
27. Monmouthshire County Council will not engage in covert surveillance.

Live Streaming

28. External CCTV is not used for live streaming, as it is intended solely for safety and security purposes.

Data Protection

29. In its administration of its CCTV system, Monmouthshire County Council complies with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 and in accordance with the Monmouthshire County Council's Data Protection Policy.

Applications for disclosure of images

Requests by individual data subjects for images relating to themselves via a Subject Access Request should be submitted to the Data Protection Officer together with proof of identification.

In order to locate the images on the system sufficient detail must be provided by the data subject in order to allow the relevant images to be located and the data subject to be identified.

Where Monmouthshire County Council is unable to comply with a Subject Access Request without disclosing the personal data of another individual who is identified or identifiable from that information, it is not obliged to comply with the request unless satisfied that the individual has provided their express consent to the disclosure, or if it is reasonable, having regard to the circumstances, to comply without the consent of the individual.

In limited circumstances it may be appropriate to disclose images to a third party, such as when a disclosure is required by law, in relation to the prevention or detection of crime or in other circumstances where an exemption applies under relevant legislation.

Before disclosing any footage, consideration should be given to whether images of third parties should be obscured to prevent unnecessary disclosure.

Where information is disclosed, the disclosing member of staff must ensure information is transferred securely.

Surveillance recordings must not be further copied, distributed, modified, reproduced, transmitted or published for any other purpose.

Retention of images

Unless required for evidentiary purposes, the investigation of an offence or as required by law, CCTV images will be retained for no longer than 31 calendar days from the date of recording. Images will be automatically overwritten or destroyed after this time.

Where an image is required to be held in excess of the retention period, the Data Protection Officer and Chief Information Security Officer will be responsible for authorising such a request, and recordings will be protected against loss or held separately from the surveillance system and will be retained for 6 months following date of last action and then disposed of.

Images held in excess of their retention period will be reviewed on a three-monthly basis and any not required for evidentiary purposes will be deleted.

Access to retained CCTV images is restricted to only authorised persons and other persons as required and as authorised by Data Protection Officer and Chief Information Security Officer.

Complaints Procedure

Complaints concerning the Monmouthshire County Council's use of its CCTV system or the disclosure of CCTV images should be made to the Data Protection Officer.

Review Procedure

There will be an annual review of the use of the CCTV system to ensure it remains necessary, proportionate and effective in meeting the stated purposes.

As part of the review of the Monmouthshire County Council will assess:

- whether the location of cameras remains justified in meeting the stated purpose and whether there is a case for removal or relocation;

- the monitoring operation, e.g. if 24 monitoring in all camera locations is necessary or whether there is a case for reducing monitoring hours;
- whether there are alternative and less intrusive methods for achieve the stated purposes.

Responsibilities

The Data Protection Officer and Chief Information Security Officer is responsible for the overall management and operation of the CCTV system, including activities relating to installations, recording, reviewing, monitoring and ensuring compliance with this policy.

The Data Protection Officer and Chief Information Security Officer is responsible for ensuring that adequate signage is erected in compliance with the ICO CCTV Code of Practice.

The Data Protection team is responsible for authorising the disclosure of images to data subjects and third parties and for maintaining the disclosure log.

The Chief Information Security Officer is responsible for carrying out technical and physical assessments of equipment.

LEGISLATION AND REGULATION

Data Protection Act 2018

UK General Data Protection Regulation

Human Rights Act 1998

Regulation of Investigatory Powers Act 2000

Investigatory Powers Act 2016.

Freedom of Information Act 2000

Protection of Freedoms Act 2012

FURTHER INFORMATION AND LINKS

[Video surveillance \(including guidance for organisations using CCTV\) | ICO](#)

[Amended Surveillance Camera Code of Practice \(accessible version\) - GOV.UK \(www.gov.uk\)](#)

RELATED PROCEDURES

Data Protection Policy

Information Security Policy

