

# CCTV policy

## Oaks Community Church – North East Derbyshire

<b>Policy #</b>	#7
<b>Version</b>	V1.3
<b>Domain</b>	Corporate Governance
<b>Reason for update</b>	Scheduled review & update in accordance with the GDPR (2018) and DPA (2018)
<b>Author(s)</b>	Richard Bull

### 1. Purpose:

- 1.1. Oaks Community Church North East Derbyshire ('The Oaks') uses closed circuit television (CCTV) images to:
  - Prevent the loss or damage to property by crime & vandalism.
  - To monitor the Oaks Christian Centre, Dronfield and The Lighthouse, Eckington in order to provide a safe and secure environment for staff and visitors.
- 1.2 This policy sets out the details of how the Charity will collect, use and store CCTV images.

### 2. Need:

#### 2.1. Compliance:

- 2.1.1. The church complies with the DPA (21018), GDPR (2018) and the latest Information Commissioner's Office (ICO) Surveillance Camera Code of Practice<sup>(1)</sup> and the Code of Practice: A Guide to the 12 Principles<sup>(2)</sup> to ensure it is used responsibly.

#### 2.2. Data Protection Impact Assessment (DPIA):

- 2.2.1. The principle of anonymity for members the general public is recognised:
  - This is part-protected through judicious placement of cameras ensuring coverage of public areas is minimised.
  - There is no sound recoding facility.
  - Data is stored securely.
  - Most CCTV data is never accessed, except on an "as needed" basis.
  - Accessed data is only ever viewed by authorised, named officers of the Oaks Community Church, acting in accordance with a policy and in confidence.
  - Data is stored for the minimum period consistent with the purpose for which it is used.
  - Data subjects are entitled to receive a copy of any data held on request.
- 2.2.2. The principle of CCTV surveillance for protection of personnel and property is also recognised:
  - It acts as a deterrent and provides evidential data where incidents arise. (CCTV has already proved effective in reducing vandalism and ASB to and around the building.)

- The use of CCTV is generally prevalent, and the public understands its intended purpose.
- The Directors consider the requirement for CCTV surveillance is both current and persistent, and do not see a practicable alternative.

#### 2.2.3. Risk assessment:

- Likelihood of invasion of personal privacy: 2/5
- Impact of such invasion: 1/5
- Risk score:  $2 \times 1 = 2$  (Low)

2.2.4. Overall, the Directors of the Oaks Community Church considers the use of CCTV to be of minimal impact on individual privacy, and may provide a degree of public security. Therefore, the use of CCTV for the purposes stated is deemed appropriate.

2.2.5. This DPIA will be reviewed periodically at intervals no longer than 2 years.

### 3. Policy Points:

#### 3.1. Legal & regulatory basis:

3.1.1. Use of CCTV, and the storage & processing of the associated recorded images, is covered by the Data Protection Act (DPA, 2018) and the General Data Protection Regulation (GDPR, 2018).

3.1.2. The Oaks use of CCTV rests on the legal basis of 'legitimate interest'.

3.1.3. This policy outlines the Oaks' use of CCTV and how it complies with the law. The Oaks' CCTV systems are registered with the Information Commissioner under the terms of the Data Protection Act 2018.

3.1.4. All authorised operators and employees with access to images are aware of the procedures that need to be followed, and the restrictions in relation to access to, and disclosure of, recorded images and sound.

3.1.5. Janet Morton/Emma Bowden, Church Co-ordinator/Trainee Manager are the 'responsible officers' for the CCTV system.

#### 3.2. CCTV systems:

3.2.1. The Oaks Christian Centre, Dronfield:

- The CCTV system comprises of 4 fixed cameras, all external.
- There is no sound recording capability.
- The hard-drive recorder is lodged in the Oaks office, which is either locked or occupied by the 'responsible officers'.

3.2.2. The Lighthouse, Eckington:

- The CCTV system comprises of 5 fixed cameras; 4 external plus one internal in lobby area facing external doors.

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- There is no sound recording capability.
- The hard-drive recorder is housed in a locked metal case.

### 3.3. Warning Signs:

3.3.1. CCTV warning signs will be clearly and prominently placed at all external entrances to the building.

3.3.2. Signs will contain details of:

- The purpose for using CCTV
- Who the operator is
- How to contact the operator (Office telephone number) and access our Privacy Notice (website).

### 3.4. Siting the Cameras & Coverage:

3.4.1. The Oaks ensures that the quality and location of equipment is carefully considered to ensure that images captured comply with the DPA & GDPR.

3.4.2. Camera deployment is designed to ensure that the system will maximise coverage but it is not possible to guarantee that the system will detect every incident in the areas of coverage; inevitably, there are blind-spots.

3.4.3. Cameras are sited so they capture images relevant to the purposes for which they are installed (q.v. 1 above) and care has been taken to ensure that reasonable privacy expectations are not violated. The Oaks has made every effort to position cameras to ensure public area coverage is minimised.

3.4.4. CCTV surveillance covers external entrances & exits of the premises.

3.4.5. Maintenance checks of the CCTV equipment are undertaken on a regular basis to ensure it is working properly and that the media is producing high quality images.

### 3.5. Storage and Retention of CCTV image:

3.5.1. Recorded data will normally not be retained for longer than 1 week, when the hard-drive is automatically overwritten on a recycling basis. Once a hard drive has reached the end of its use, it will be erased prior to disposal.

3.5.2. The Oaks does not use automated number plate recognition (ANPR) nor facial recognition software, nor does it deploy drone or body-worn video (BWV) technology.

3.5.3. Ordinarily, this CCTV data will not be accessed, except where there is a reported incident or where a Subject Access Request (SAR) is made.

3.5.4. In the event of an incident or SAR, a copy of the relevant section of the data will be transferred onto a permanent memory (e.g. USB memory stick or DVD(R)) for the relevant authority or data subject respectively.

3.5.5. Thereafter, the relevant data will be deleted at, or as soon after, 1 week.

3.5.6. While retained, the integrity of the recordings will be maintained to ensure their evidential value and to protect the rights of the people whose images have been recorded.

3.5.7. All currently retained data is stored securely, and is password protected.

### **3.6. Access to CCTV images:**

3.6.1. Access to recorded images will be restricted to those staff authorised to view them, and will not be made more widely available, (except to the police where they may need to view stored images alongside authorised staff in order to identify relevant images).

3.6.2. Viewing of recorded images will take place in a restricted area, to which other employees will not have access when viewing is occurring.

3.6.3. Images can only be disclosed in accordance with the purposes for which they were originally collected.

3.6.4. All data provided elsewhere will protect the identity of uninvolved 3<sup>rd</sup> parties through facial image pixilation.

### **3.7. Subject Access Requests (SAR):**

3.7.1. Individuals have the right to request access to CCTV footage relating to themselves under the Data Protection Act (DPA, 2018) and GDPR (2018).

3.7.2. The Oaks' Privacy Notice (PN) and full Data Protection Policy may be seen at [www.oaksc.org.uk](http://www.oaksc.org.uk)

3.7.3. All SAR requests should be made in writing to the Church Coordinator. Individuals submitting requests for access will be asked to provide sufficient information to:

- Identify themselves
- Enable the footage relating to them to be identified, i.e. date, time and location.

3.7.4. The Charity will usually not make a charge for such a request, but we may charge a reasonable fee if you make a request which is manifestly unfounded, or excessive, or is repetitive.

3.7.5. The Oaks will respond to requests within 30 calendar days of receiving the written request.

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3.7.6. The Oaks reserves the right to refuse access to CCTV images where:

- The individual is unable to provide sufficient:
  - Proof of identity.
  - Detail regarding the date, time and location.
- Disclosure would prejudice the legal rights of other individuals or jeopardise an ongoing investigation.

#### **3.8. Access to and Disclosure of Images to Third Parties:**

3.8.1 Disclosure of images to other third parties will only be made in accordance with the purposes for which the system is used and will be limited to:

- The police and other law enforcement agencies, where the images recorded could assist in the prevention or detection of a crime, or the identification and prosecution of an offender, or the identification of a victim or witness.
- Prosecution agencies, such as the Crown Prosecution Service.
- Relevant legal representatives.
- Line managers involved with Charity disciplinary and performance management processes.

3.8.2. The Chair of Directors (or another senior trustee/director acting in their absence) is the only person who is permitted to authorise disclosure of images to external third parties, **except** law enforcement agencies (e.g. the police, BT police, counter Terrorism agencies), where delays may prove be time critical.

3.8.3. All requests for disclosure and access to images will be documented, including the date of the disclosure, to whom the images have been provided and the reasons why they are required. If disclosure is denied, the reason will be recorded.

3.8.4. Requests should be made in writing to the Church Coordinator, **except** law enforcement agencies, (again, where delays may prove be time critical), where a simple signed proforma (q.v. Appx. 1) may be used to record the request, and the location, date(s), & time(s) of interest.

3.8.5. Once recordings are released to 3<sup>rd</sup> parties, they are notified that they become the Data Controller of the disclosed information.

3.8.6. The data may be used within the Oaks' 'Discipline and Grievance' procedures as required, and will be subject to the usual confidentiality requirements of those procedures.

#### **3.9 Covert images:**

3.9.1 The Oaks is aware that covert recording can only be done in exceptional circumstances, for example, where the Charity suspects criminal activity taking place, usually following advice from the police for criminal matters.

- 3.9.2. On this basis, the Charity will only undertake covert monitoring if it has carried out a Data Protection Impact Assessment (DPIA), which has addressed the following:
- The purpose of the covert recording;
  - The necessity and proportionality of the covert recording;
  - The risks to the privacy rights of the individual(s) affected by the covert recording;
  - The time parameters for conducting the covert recording;
  - The safeguards and/or security measures that need to be put in place to ensure the covert recording is conducted in accordance with the data protection laws, including the GDPR.
- 3.9.3. If after undertaking the DPIA, the Oaks considers there is a proportionate risk of criminal activity, or equivalent malpractice taking place or about to take place, and if informing the individuals concerned that the recording is taking place would seriously prejudice its prevention or detection, the Oaks will covertly record the suspected individual(s). In doing this, the Oaks will rely on the protection of its own legitimate interests as the lawful and justifiable legal basis for carrying out the covert recording.
- 3.9.4. Before the covert recording commences, the Oaks will ensure that the Chair (or another senior director acting in their absence) agrees with the findings of the DPIA and provides written authorisation to proceed with the covert recording. Covert monitoring may include both video and audio recording.
- 3.9.5. Covert monitoring will only take place for a limited and reasonable amount of time, consistent with the objective of assisting in the prevention and detection of particular suspected criminal activity, or equivalent malpractice. Once the specific investigation has been completed, covert monitoring will cease.
- 3.9.6. Information obtained through covert monitoring will only be used for the prevention or detection of criminal activity or equivalent malpractice. All other information collected in the course of covert monitoring will be deleted or destroyed, unless it reveals information which the Oaks cannot reasonably be expected to ignore.

#### 4. Complaints:

- 4.1. Complaints and enquiries about the operation of the Oaks' CCTV system should be directed to the Church Coordinator in writing.

<b>References</b>	<p>1/ Surveillance Camera Code of Practice (June, 2013):  <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/282774/SurveillanceCameraCodePractice.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/282774/SurveillanceCameraCodePractice.pdf</a></p> <p>2/ Code of Practice: A Guide to the 12 Principles:</p>
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	<a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/368115/Leaflet_v6_WEB.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/368115/Leaflet_v6_WEB.pdf</a>
<b>To be read in conjunction with</b>	#6 Data Protection policy
<b>Specific updates from last version</b>	Eckington Friendship Hall/The Lighthouse New DPA (2018) and GDPR (2018) requirements
<b>Relating policies</b>	Nil

**Appendices: See below**

**Appx. 1: Police (or other legitimate Law enforcement organisation) application to view CCTV images:**

Date of application:	
Organisation:	
Officer name(s) & rank:	
Purpose(s):	
Date(s) of interest:	
Time(s):	
Location:	Dronfield / Eckington
Request discussed with Chair of Directors (or acting deputy)	Yes / No Advice given:
Request decision:	Accepted / Rejected (if rejected, you must record your reasons)
Images reproduced?	Yes / No
Medium	USB Memory stick / DVD(R) / Other
Data Controller responsibility explained?	Yes / No
Signed (on behalf of The Oaks)	Name(s):
Signed (on behalf of law enforcement agency)	Name(s):