Exmouth Town Council

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Exmouth Town Council
CCTV Policy

Policy summary

Exmouth Town Council (the Council) has 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 Exmouth Town Council complies with relevant legislation and Codes of Practice where necessary.

This policy and the procedures herein detailed, applies to all of the Council's CCTV systems capturing images of identifiable individuals for the purpose of viewing and or recording the activities of such individuals. CCTV images are monitored and recorded in strict accordance with this policy.

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Introduction

1. The Council uses closed circuit television (CCTV) images for the prevention, identification and reduction of crime in order to provide a safe and secure town centre and seafront environment for residents and visitors and to prevent the loss of or damage to Council property.
2. The CCTV system is owned by Exmouth Town Council, Exmouth Town Hall, 1 St Andrews Road, Exmouth and managed by the Council and/or its appointed agents. The 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 Z6412560.
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 the Council.
5. CCTV surveillance is used to monitor and collect visual images for the purposes of:
    - protecting the Council's assets;
    - promoting the health and safety of residents and visitors;
    - reducing the incidence of crime and anti-social behaviour (including theft and vandalism);
    - supporting the Police in a bid to deter and detect crime;
    - assisting in identifying, apprehending and prosecuting offenders;

Scope

6. This policy applies to Exmouth Town Council and must be followed by all staff and Councillors. Failure to comply could result in disciplinary action, including dismissal. This policy also applies to the Council's consultants, contractors and volunteers.
7. All staff and Councillors 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 herein.
8. All system 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.
9. Where required, CCTV operators will be properly licensed by the Security Industry Authority.

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 camera's 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 Regulations 2016 (GDPR) - European Union data protection framework, regulating the processing of information relating to individuals.

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. The Council will operate its CCTV system in a manner that is consistent with respect for the individual's privacy.
11. The Council complies with the 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 activities in the public realm.

Location and signage

16. Cameras are sited strategically to ensure that they provide suitable cover of the town centre and the seafront. Cameras are installed externally in vulnerable public facing areas.
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 the public realm.
18. Signs are placed in order to inform members of the public 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.
20. Signage templates are included in Appendix 1.

Monitoring and recording

21. Cameras are only monitored in real time on Friday and Saturday evenings between the hours of 8pm and 2am.
22. Live monitoring is carried out by Torbay Council from secure offices in Torbay Town Hall.
23. Where an offence has been reported in an area covered by our CCTV cameras, the Police may view CCTV footage that might be helpful.
24. Images are recorded on secure servers and are viewable by authorised staff only. Additional staff may be authorised by the Town Clerk to monitor cameras sited within their own areas of responsibility on a view only basis.
25. 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.
26. Viewing monitors are password protected and switched off when not in use to prevent unauthorised use or viewing.
27. The cameras installed provide images that are of suitable quality for the specified purposes for which they are installed and all cameras are checked periodically to ensure that the images remain fit for purpose and that the date and time stamp recorded on the images is accurate.
28. All images recorded by the CCTV System remain the property and copyright of the Exmouth Town Council.

Covert surveillance

29. 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.

30. The Council will not engage in covert surveillance.

Facial Recognition

31. Where cameras are used to identify people's faces, the Council will ensure that it uses high quality cameras to make sure that it is capturing the individual accurately enough to fulfil the intended purpose.

Live Streaming

32. CCTV is not suitable for live streaming as it is intended solely for safety and security purposes.

Data Protection

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

Data Protection Impact Assessments

34. The CCTV system is subject to a Data Protection Impact Assessment. Any proposed new CCTV installation is subject to a Data Protection Impact Assessment identifying risks related to the installation and ensuring full compliance with data protection legislation. This will include consultation with relevant internal and external stakeholders.

Applications for disclosure of images

35. Requests by individual data subjects for images relating to themselves via a Subject Access Request should be submitted to the Town Clerk together with proof of identification. Further details of this process are detailed on the Council's website https://exmouth.gov.uk/access-to-information/ OR can be obtained by contacting the Town Clerk: townclerk@exmouth.gov.uk

36. 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.

37. Where the 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 it is 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.

38. 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.

39. A request for images made by a third party should be made to the Town Clerk.

40. Such disclosures will be made at the discretion of the Town Clerk, with reference to relevant legislation and where necessary, following advice from the Council's legal advisor.

41. A log of any disclosure made under this policy will be held by the Town Clerk itemising the date, time, camera, requestor, reason for the disclosure; requested; lawful basis for disclosure; date of decision and/or release, name of authoriser.
42. Before disclosing any footage, consideration should be given to whether images of third parties should be obscured to prevent unnecessary disclosure.
43. Where information is disclosed, the disclosing officer must ensure information is transferred securely.
44. Images may be released to the media for purposes of identification. Any such decision to disclose will be taken in conjunction with the Police and/or other relevant law enforcement agencies.
45. Surveillance recordings must not be further copied, distributed, modified, reproduced, transmitted or published for any other purpose.

Retention of images

46. 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.
47. Where an image is required to be held in excess of the retention period, the Town Clerk 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 as per above.
48. 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.
49. Access to retained CCTV images is restricted to the Town Clerk and other persons as required and as authorised by the Town Clerk.

Complaints Procedure

50. Complaints concerning the Council's use of its CCTV system or the disclosure of CCTV images should be made to the Town Clerk: townclerk@exmouth.gov.uk
51. The complaints procedure is available on the Council's website here: https://exmouth.gov.uk/access-to-information/
52. When requested, anonymised information concerning complaints will be provided to the Surveillance Commissioner.

Review Procedure

53. 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.
54. As part of the review of the 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 live monitoring in any or all camera locations is necessary;

- whether there are alternative and less intrusive methods for achieve the stated purposes.

Responsibilities

55. The Council 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.
56. The Council is responsible for ensuring that adequate signage is erected in compliance with the ICO CCTV Code of Practice.
57. The Town Clerk acts as the Council's Data Protection Officer and is responsible for authorising the disclosure of images to data subjects and third parties and for maintaining the disclosure log.

Approval and review

Approved by	Lisa Bowman
Policy owner	Exmouth Town Council
Policy author	Lisa Bowman
Date	19/01/2023
Review date	18/05/2026

Revision history

Version no.	Revision date	Previous revision date	Summary of changes
1.1	19/01/22		Updated to reflect Torbay Council's involvement.

Appendix 1 – CCTV Template Signage



Appendix 2 – CCTV Camera Locations

- Lifeboat Station
- Alexandra Terrace
- No 9 Bar
- Taxi Rank
- Exmouth Market
- York Inn
- Parade Nightclub
- Tempus Jewellers
- Old Post Office building
- Franklins

Reaffirmed 18th May 2026
Review date: May 2027