Introduction

The purpose of this policy is to provide Nettleham Parish Council (the "Parish Council") with guidance in order to comply with relevant legislation relating to the use of Closed-Circuit Television ("CCTV") in Nettleham.

The definition of CCTV in this policy is "equipment used to capture and store images, potentially including those of persons".

The purpose of the CCTV installed by the Parish Council is to provide a safe and secure environment for the benefit of those who might visit, work or live in the area. The system will not be used to invade the privacy of any individual, except when carried out in accordance with the law. The scheme will be used for the following purposes:

- to monitor the security of premises or equipment;
- to ensure public safety;
- to reduce the vandalism of property and to prevent, deter and detect crime and disorder;
- to assist the Police and Lincolnshire County Council in the identification, detection, apprehension and prosecution of offenders by examining and using retrievable evidence relating to crime or public order.
- to deter potential offenders by publicly displaying the existence of CCTV, having cameras clearly sited that are not hidden and prominent signs on display; and
- to assist all emergency services to carry out their duties.

CCTV will only be installed at premises owned or administered by the Nettleham Parish Council. Each installation will need to be justified, normally as a result of incidents where CCTV can be judged to be appropriate in order to deter or prevent future incidents.

The Parish Council will have due regard to the Data Protection Act 2018, the General

UK General Data Protection Regulation (GDPR) and any subsequent data protection legislation, and to the Freedom of Information Act 2000, the Protection of Freedoms Act 2012 and the Human Rights Act 2018. As a relevant authority the Parish Council will also have due regard to the Surveillance Camera Code of Practice, issued under the Protection of Freedoms Act 2012 and in particular the 12 guiding principles contained therein.

The Parish Council accepts the principles of that data must be:

- fairly and lawfully processed;
- processed for limited purposes and not in any manner incompatible with these
- purposes;

- adequate, relevant and not excessive;
- accurate;
- not kept for longer than is necessary;
- processed in accordance with individuals' rights; and
- held securely;

Responsibility for the management of the CCTV will lie with the Council.

Legislative Requirements

The Parish Council has the power to incur expenditure in respect of CCTV under powers granted by the Local Government and Rating Act 1997, section 31.

The Parish Council shall comply with all legislation, and resultant codes, apply to gathering and use of data.

Images may be disclosed in response to a valid Subject Access Request under Article 15 UK GDPR and the Data Protection Act 2018 or where disclosure is otherwise required by law.

Roles and Responsibilities

The Parish Council have overall control of the CCTV with the Clerk to the Council being the overall data protection lead. Maintenance is lead by the Facilities Manager with Authorised Personnel viewing footage.

Unless specifically authorised Councillors will have strategic oversight only.

The CCTV installation company may carry out checks of the CCTV and can access the system to carry out essential maintenance repairs when requested by the Parish Council.

The CCTV system is viewed by a secure Mobile Phone Application (App) this is to prevent unauthorised persons having access to view any recordings. Any Apps used must have a strongly secured password. Devices must be PIN protected and where devices are lost these must be reported to the Clerk immediately. No screenshots are permitted and downloading of data only once authorised.

Where the CCTV system is accessed this should be logged by the authorised user recording the date, time, person accessing, reason, camera(s) viewed and the outcome.

Any breach of this policy shall be investigated by the Clerk to the Council and reported to the Parish Council.

A CCTV system prevents crime largely by increasing the risk of detection and prosecution of an offender. Any relevant tape or digital evidence must be in an acceptable format for use at Court hearings.

Only those appointed by the Council may access the cameras, recordings and associated systems, the following points must be understood and strictly observed by those persons:

- they must act with due probity and not abuse the equipment or change the pre-set criteria to compromise the privacy of an individual;
- no public access will be allowed to recordings or the App except with the express approval of the Clerk.
- the Police will be permitted access to recording media if they have reason to believe that such access is necessary to investigate, detect or prevent crime. Any visit by the Police to view images should be logged;
- the accuracy of the date/time displayed will be checked on each occasion that the system is accessed;
- digital records and images shall be securely stored to comply with data protection Records and images will normally be erased after a certain period but may be retained for longer because of a known incident and required for the apprehension or prosecution of offenders.
- digital records or images shall not be supplied to the media, except on the advice of the Police. Such a decision will be taken by the Parish Council.
- as records may be required as evidence in a court of law, each person handling a digital record may be required to make a statement to a Police Officer and sign an exhibit label. Any extracted data that is handed to a Police Officer should be signed for by the Police Officer and information logged to identify the recording, and showing the Officer's name and police station. The log should also show when such information is returned and/or the outcome of its use;
- any event that requires checking of recorded data should be clearly detailed in the log book of incidents, including crime numbers if appropriate;
- any damage to equipment or malfunction discovered should be reported immediately to the person responsible for maintenance, and the call logged showing the outcome. When a repair has been made this should also be logged showing the date and time of completion;
- The sharing of the CCTV by the Parish Council complicates access rights under the Freedom of Information Act. If such a request is made the council should take advice from LALC and/ or ICO.

Accountability

Copies of this policy are available in accordance with the Freedom of Information Act, as will be any reports that are submitted to the Parish Council, providing that does not breach security needs.

Any written concerns or complaints regarding the Parish Council's use of the system will be considered under the Parish Council's existing complaints policy.

The Parish Council maintains the appropriate registration with the \Information Commissioner's Office where required.

The Parish Council is registered with the Information Commissioner as a data handler.

One or more signs shall be displayed in the vicinity of where the CCTV is deployed. One or more laminated notice shall be erected providing the following information:

- why CCTV is being used;
- who manages the CCTV;
- contact details for the organisation(s) responsible should anyone want to find out more about the scheme or request access to their CCTV images.

This policy, together with the continued need for CCTV usage, will be reviewed by the Parish Council. This will need to be reviewed annually.

Further Information on CCTV and its use is available from the following:
CCTV Code of Practice (published by the Information Commissioners Office)
Surveillance Camera Code of Practice (published by the Surveillance Camera Commissioner)
Data Protection Act 1998
General Data Protection Regulation
Protection of Freedom Act 2012
Human Rights Act 1998

Nettleham Parish Council– CCTV Privacy Impact Assessment

Location of surveillance camera system being assessed:

Mulsanne Field see appendices for exact locations and types of cameras being used.

Date of Assessment –May 2025 (reviewed July 2026)

Name of Persons Responsible – Carl Thomas (Clerk)

1. <u>The problems that need to be addressed and why the surveillance camera system is needed?</u>
   The surveillance camera system is needed to protect the public by dissuading crime and anti-social behaviour. Nettleham and in particular Mulsanne playing field has seen a rise in anti-social behaviour and criminal activity. The surveillance camera system is required as most of this activity takes place in the evening or at night.

2. <u>Can surveillance camera technology realistically mitigate the risks attached to those problems?</u>
   In part as the visible cameras and signage will act to deter crime.

3. <u>Have other less privacy-intrusive solutions such as improved lighting been considered?</u>
   Physical security, in the form of locked gates at night and lighting are in place but have failed so far to deter vandalism and crime.

4. <u>What is the lawful basis for using the surveillance camera system?</u>
   The base for using the surveillance camera system is that it is necessary to be able to process data in order to support the work of the Police in detecting crime and ensuring public safety.
   It is in the public interest under article 6(1) of the GDPR Act and where relevant legitimate interests under Article 6(1)(f) of the GDPR Act that crimes and anti-social behaviour committed in the Village are detected and where necessary the images can be used to support a criminal investigation that could lead to a successful conviction or outcome.
   The surveillance cameras provide reassurance to the public and therefore can be lawfully used to provide a degree of protection to the individual.

5. <u>What are the benefits to be gained by using CCTV?</u>
   To deter criminal activity
   To make the public feel safer.
   To deter anti-social behaviour

6. <u>What are the views of those under surveillance?</u>
   Most of the public support the need for surveillance and would like it expanded to cover other parts of the village that have seen a rise in Anti-social behaviour. Many members of the public have installed private CCTV style systems to protect their own property. The majority feel safer with the surveillance system in place.

7. What are the benefits to be gained by using CCTV?
   To deter criminal activity
   To make the public feel safer.
   To deter anti-social behaviour

8. What are the privacy issues arising from this surveillance system?
   There is the possibility of Privacy intrusion into private homes, and the area under surveillance is frequently used by minors.

9. What privacy design feature will be adopted to reduce privacy intrusion.
   Consideration has been taken when purchasing the specific cameras that do not have the capability to intrude beyond that which is for its specific purpose.
   That private dwellings are protected from cameras having the ability to look for example into bedroom windows or back gardens (noting the expectation of privacy is normally less to the frontage of a property which is continually exposed in any event.)
   Signage will be prevalent to advise all users of the areas where CCTV is used.

10. Which organisations will be using the surveillance camera images, and where is the controller responsibility under the GDPR and Data Protection Act 2018?
    Nettleham Parish Council will use the images and have responsibility in conjunction with Lincolnshire Police if requested.
    Sharing of images by Sports Club via remote viewing of matches.

11. Do the images need to be able to recognise or identify individuals?
    Yes, Individuals need to be recognised for Police purposes and to support any prosecutions.

12. How will you inform people that they are under surveillance and respond to Subject Access Requests, the exercise of any other rights of data subjects, complaints or requests for information?
    Signage will be installed at key access points.
    The CCTV policy, location of cameras and who to contact for Subject Access Requests will be placed on the Council website.

13. How will you know if the particular camera system/hardware/software/firmware being considered does deliver the desired benefits now and in the future?
    The camera system will be reviewed on a regular basis at least every three years to assess that it is still delivering benefits for the residents of Nettleham.

14. What future demands may arise for wider use of images and how will these be addressed?
    If there is a demand for CCTV to be more widely used in Nettleham, the demand will be measured by calls for service and crime and anti-social behaviour reports. These will be assessed.

15. Have you considered the extent to which your surveillance camera system may interfere with the rights and freedoms conferred under the European Convention of Human Rights?

    Yes, the camera locations have been carefully thought about where they will give a good coverage of the area and are not zoomed in to a particular location where they could be deemed to be invading privacy.

16. Do any of these measures discriminate against any particular sections of the community?
    No, the surveillance cameras are not targeted at one particular group.

Appendix 1

Camera Locations and Types – Nettleham Parish Council

September 2023

ID	Justification/Expected use	Description (Static or Moving)	IMAGE	RECORDER LOCATION	CAMERA TYPE	STORAGE (DAYS)
1	Deter Crime and anti-social behaviour	Static	Colour	Cricket pitch	HiK Vision IP System	30
2	Deter Crime and anti-social behaviour	Static	Colour	Football pitch	HiK Vision IP System	30
3	Deter Crime and anti-social behaviour	Static	Colour	Seating area	HiK Vision IP System	30
4	Deter Crime and anti-social behaviour	Static	Colour	Storage Container	HiK Vision IP System	30
5	Deter Crime and anti-social behaviour	Static	Colour	Rear of Pavilion	HiK Vision IP System	30
6	Deter Crime and anti-social behaviour	Static	Colour	Car Park	HiK Vision IP System	30

Appendix 2

Information flow

1. How is information collected
   CCTV Camera

2. Does the system's technology enable recording?
   Yes, only images recorded no audio capability. Recordings are only accessed by authorised Council representatives.

3. What type of transmission is used for the installation subject of this PIA?
   Wirelessly communicated

4. What security features are there to protect transmission data e.g. encryption?
   Data is encrypted.

5. Where will the information be collected from?
   Public places – Mulsanne Field

6. From whom/what is the information collected?
   General public. The cameras are there to reduce the fear of crime and to support any criminal or civil investigations.

7. What measures are in place to mitigate the risk of cyber attacks which interrupt service of lead to the unauthorised disclosure of images and information?
   Password protected

8. How is the information collected
   Recorded data disclosure to authorised agencies to support post incident investigating by and including law enforcement agencies
   Recorded data disclosed to authorised agencies to provide intelligence.

9. How long is footage stored
   30 days and automatically copied over. Except where it is needed by an authorised agency.

10. Retention Procedure
    See above

11. With which external agencies/bodies is the information/footage shared?
    Statutory prosecution agencies
    Judicial system
    Legal representatives
    Data subjects on request

12. How is the information disclosed to the authorised agencies
    Images saved and passed on

13. Is there a written policy that specifies which agencies are granted access, how information is disclosed and how information is handled.
    Yes

14. Do operating staff receive appropriate training to include the following?
    Legislation issues
    Monitoring, handling, disclosing, storage, deletion of information
    Disciplinary procedures
    Incident procedures
    Limits on system use
    In house training.

15. Do CCTV operators receive ongoing training?
    yes

16. Are there appropriate signs which inform the public when they are in the area covered by surveillance camera systems?
    Signage in place.