

# Folkestone Town Council

## CCTV Policy

Adopted 26<sup>th</sup> April 2018 – Finance & General Purposes – Minute 1206

### 1.0 Background

1.1 In order for Folkestone Town Council to comply with the requirements of the General Data Protection Regulations, the Information Commissioners CCTV Code of Practice and the Freedom of Information Act 2000, the Council must have a policy on its use of CCTV for overt surveillance.

### 2.0 Purpose

2.1 In order to adhere to legislative requirements and confidential nature of the Council's CCTV operations this document sets out:

- the manner in which these operations will be carried out;
- the sites from which recordings will be made.

2.2 This policy sets out how Council's CCTV system (the system) will be controlled and managed in a confidential manner.

2.3 Camera surveillance is maintained using static and ptz cameras at the following locations.

External Cameras:

- FC1 Middleburgh Square/Bus Station
- FC2 Guildhall/Shellon Street
- FC5 Top Old High Street
- FC7 Tontine Street/Party Bar
- FC8 Middle of Tontine Street
- FC9 Top of Tontine Street
- FC10 Rendezvous Street/Wetherspoons
- FC11 Back of Town Hall
- FC12 Church Street/Front of Town Hall
- FC14 Sandgate Road/Shoe Zone
- FC15 West Terrace
- FC16 Road of Remembrance/War Memorial
- FC17 Central Station
- FC20 Grace Hill/Payers Park
- FC23 Sandgate Road/Garden of Remembrance
- FC25 Leas Cliff Car Park
- FC26 Sandgate Road/Castle Hill Avenue
- FC29 Harbour/Front of Burstin
- FC30 Rear Burstin/Remembrance Road

- FC31 Burstin
- RP01 Radnor Park Café
- RP02 Radnor Park/Cheriton Road
- CC38 Coastal Park
- CC39 Coastal Park
- CC40 Coastal Park
- CC41 Coastal Park
- CC42 Coastal Park
- CC43 Coastal Park

Internal Cameras:

- LGF Exhibition NV
- LGF Exhibition Entrants
- LGF Temporary Exhibition
- LFG Education FH
- LFG Rear Entrance
- LGF Permanent Exhibition
- LGF Lobby
- GF Foyer
- GF Permanent Exhibition
- GF Permanent Exhibition
- GF Lift Lobby
- GF Museum Entrance
- GF Lift Lobby Entrance
- NVRS3 Education Room

2.4 The policy will be reviewed periodically by the Town Clerk to ensure that it continues to reflect the public interest and meets with legislative requirements.

### **3.0 Objectives**

The objectives of the systems are to:

- Increase personal safety and reduce the fear of crime;
- Support the Police in the detection of crime;
- Assist in the identification, apprehension and prosecution of offenders;
- Protect our key buildings and their assets.

### **4.0 Statement of Intent**

4.1 The CCTV System is registered with the Information Commissioner and is operated in accordance with the requirements of the General Data Protection Regulations and the Commissioner's Code of Practice.

4.2 The Town Council will treat the information obtained by the system as protected under the

## General Data Protection Regulations.

- 4.3 Cameras will be used to monitor activities around Folkestone and within the Town Hall to identify criminal activity or anti-social behaviour occurring, anticipated, or perceived, for the purpose of securing the safety and well-being of the public or security of council property.
- 4.4. Cameras are not focused on private homes, gardens or other areas of private property.
- 4.5 Data or knowledge secured because of CCTV will not be used for any commercial purpose. Data will only be released to the Police for use in the investigation of a specific crime upon receipt of appropriate written request from the police. Data will not be released to the media unless the police confirm that it would be in the public interest.
- 4.6 The planning and design of the system endeavours to ensure that it will give maximum effectiveness and efficiency, but it does not guarantee to cover or detect every incident taking place in the areas of coverage.
- 4.7 Warning signs, as required by the Information Commissioners have been placed at areas covered by the CCTV.

### **5.0 Operation of the System**

- 5.1 The Scheme is managed by the Town Clerk, in accordance with this policy and the principles and objectives expressed in this policy.
- 5.2 Day to day administration of the system will be the responsibility of both the Town Sergeant and the Town Clerk.
- 5.3 The CCTV system will operate continuously 24 hours a day, every day of the year; subject to operational considerations such as maintenance and repair.

### **6.0. Control of Equipment**

- 6.1 The system will be periodically checked to confirm the efficiency of the system, ensuring the equipment is properly recording and the cameras operational.
- 6.2 Access to the equipment will be restricted to the Town Clerk, Town Sergeant, other trained officers of the Town Council, maintenance contractors and approved monitors.
- 6.3 Viewing of the recordings is restricted to those legally entitled to access (I.e. the Police for the prevention and detection of crime). Appropriate evidence of authority will be required before access is allowed.
- 6.4 A register of access is maintained by the Town Clerk. Full details of each access that has taken place shall be recorded including: name, reason for request, authority for request, time and date.
- 6.5 If a serious incident is viewed on the system appropriate emergency services will be summoned.

## **7.0 Monitoring Procedures**

- 7.1 Camera recording is maintained at all times.
- 7.2 The system protecting Folkestone may be monitored for surveillance purposes from time to time.
- 7.3 The system but not all cameras is monitored by Ashford Monitoring Centre 24/7 365 days a year.

## **8.0 Recordings used in Evidence**

- 8.1 In order to maintain and preserve the integrity of recordings, CD/DVD's used to record events and the facility to use them in any future proceedings, the following procedures for their use and retention must be strictly adhered to:
  - (i) Each *CD/DVD* must be identified by a unique mark.
  - (ii) The controller shall register the date and time of *CD/DVD* insert, including *CD/DVD* reference.
  - (iii) A recording required for evidential purposes must be sealed, witnessed, signed by the controller, dated and stored in a separate, secure, evidence store. If a *CD/DVD* is not copied for the police before it is sealed, a copy may be made at a later date providing that it is then resealed, witnessed, signed by the controller, dated and returned to the evidence *CD/DVD* store.
  - (iv) If the recording is archived the reference must be noted.
- 8.2 Recordings may be viewed by the Police for the prevention and detection of crime, authorised officers of Folkestone Town Council for supervisory purposes, authorised demonstration and training.
- 8.3 A record will be maintained of the release of copies of recordings to the Police or other authorised applicants. A register will be available for this purpose.
- 8.4 Viewing of recordings by the Police must be recorded in writing. Requests by the Police can only be actioned in accordance with the General Data Protection Regulations.
- 8.5 Should a *CD/DVD* be required as evidence, a copy may be released to the Police under the procedures described in paragraph 8.1 (iii) of this policy. *CD/DVD* will only be released to the Police on the clear understanding that the *CD/DVD* remains the property of the Town Council, and both the *CD/DVD* and information contained on it are to be treated in accordance with this policy. The Town Council also retains the right to refuse permission for the Police to pass to any other person the *CD/DVD* or any part of the information contained thereon. On occasions when a Court requires the release of an original *CD/DVD* this will be produced from the secure evidence *CD/DVD* store, complete in its sealed bag.
- 8.6 The Police may require the Town Council to retain the stored CD/DVDs for possible use as evidence in the future. Such CD/DVDs will be properly indexed and properly and

securely stored until they are needed by the Police.

- 8.7 Applications received from outside bodies (e.g. solicitors) to view or release CD/DVDs will be referred to the Town Clerk. In these circumstances CD/DVDs will normally be released where satisfactory documentary evidence is produced showing that they are required for legal proceedings, a subject access request, or in response to a Court Order. A fee can be charged in such circumstances: £10 for subject access requests; a sum not exceeding the cost of materials in other cases.

## **9.0 Viewing Data**

- 9.1 Recordings may be viewed by the Police for the prevention and detection of crime, the Town Clerk and her officers may view for similar reasons and for security purposes, demonstration and training.
- 9.2 Records will also be maintained of any viewings by authorised authorities and a register maintained for this purpose. Requests by the Police can only be actioned in accordance with the General Data Protection Regulations.
- 9.3 The General Data Protection Regulations provides Data Subjects (individuals to whom "personal data" relate) with a right to data held about themselves, including those obtained by CCTV.
- 9.4 Requests for Data Subject Access should be made to the Town Clerk; a charge of £10 will be made to cover administration costs.

## **10.0 Breaches of the Policy (including breaches of security)**

- 10.1 Any breach of this policy will be initially investigated by the Town Clerk, in order for appropriate action to be taken. A report of the incident will be made to Council together with any recommended actions to remedy the breach.

Note: A breach by council staff could lead to disciplinary action.

- 10.2 Any serious breach of the policy may be further investigated by an independent investigator reporting on recommendations to remedy the breach.

## **11.0 Assessment of the Scheme**

- 11.1 Performance monitoring, including random operating checks, may be carried out on site by the Town Clerk or her officers.

## **12.0 Complaints**

- 12.1 Any complaints about the Town Council's CCTV system or its use should be addressed to the Town Clerk.

- 12.2 Complaints will be investigated in accordance with Section 10 of this policy.

## **13.0 Public information**

- 13.1 Copies of this policy are available to the public on the Council's website or in paper form

from the Town Hall.

## Folkestone Town Council

### Request to View - CCTV images

#### Police

Date of Recording:	Place of Recording:	Time of Recording:
Applicants Name and Address:  Post Code:                      Tel.No:		Evidence of Description of Applicant and any distinguishing features (e.g. clothing)
Signature of Applicant (or parent/guardian if under 18)		A recent photograph may be necessary to aid identification.
Reason for request:		
Were you alone? YES/NO If not, please describe any accompanying persons.		
<b>FOR OFFICE USE ONLY</b>		
Received by:	Date Received:	Time Received:
Fee Charged / N.A	Fee Paid:	Request Approved YES / NO
Actioned By:	Image Identified On:	Date Applicant Informed:
On: ...../...../.....		In the presence of:
Applicant attended viewing on:	Result:	In the presence of:

...../...../.....		
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# Folkestone Town Council

## Download Receipt Form – CCTV Images

### Police

Date and Time of Recording:	Place of Recording:
Police Contact Details:	Reason for Request:
Date Request Received:	Date Download Received by Police:
Signed (Town Clerk)	Signed (on behalf of Police)

# Folkestone Town Council – CCTV Policy

**THIS POLICY MUST BE COMPLIED WITH AT ALL TIMES**

*I have read the above policy and agree to abide by these instructions and will raise any concerns to the Town Clerk.*

Signed ..... Print Name ..... Dated .....

(All officers are issued with a copy of this policy and shall sign to confirm receipt and compliance.)