



SHAVINGTON
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Shavington-cum-Gresty Parish Council
Main Rd, Shavington, Crewe, CW2 5DP

SHAVINGTON-CUM-GRESTY PARISH COUNCIL CCTV POLICY FOR COUNCILLORS AND STAFF

Adopted on 7th May 2025
For review 7th May 2027



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Introduction	Error! Bookmark not defined.
Legal Basis	Error! Bookmark not defined.
Scope.....	Error! Bookmark not defined.
Policy Statement.....	Error! Bookmark not defined.
Policy Review.....	7



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INTRODUCTION

There is an increasing range of technologies available for the prevention and detection of crime and antisocial behaviour, many of which capture personal data on individuals. In the case of images, these are increasing in definition, and more easily able to be distributed. Whilst these technologies provide better opportunities for the Parish Council to prevent and detect crime and antisocial behaviour, we realise that this must be balanced against an individual's rights of privacy, and that unwarranted and excessive use of surveillance technologies has contributed a tougher regulatory landscape.

This policy is therefore designed to address both the powers and obligations of the Council, and the legislation protecting the rights of individuals, in order to ensure that the Council's use of CCTV is lawful, safe, and reasonable.

LEGAL BASIS

The power for a parish council to install CCTV and other surveillance equipment is conferred under Local Government and Rating Act 1997 s.31:

- (1) A parish council or community council may, for the detection or prevention of crime in their area –
- (a) install and maintain any equipment,
 - (b) establish and maintain any scheme, or
 - (c) assist others to install and maintain any equipment or to establish and maintain any scheme.

The Council also has a duty to consider crime and disorder implications of their functions, under the Crime and Disorder Act 1998 s.17:

- (1) ...It shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonable can to prevent,
- (a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); and
 - (b) the misuse of drugs, alcohol and other substances in its area; and
 - (c) re-offending in its area

Under Article 8 of the European Charter on Human Rights (enshrined in Human Rights Act 1998 Sch.1), an individual has the qualified right to respect for private and family life:

- (1) Everyone has the right to respect for his private and family life, his home and his correspondence.
- (2) There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the



SHAVINGTON CUM GRESTY

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prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

However, the rights of the individual are protected with regard to the qualification under s(2) above, through the Protection of Freedoms Act 2012 s.33:

- (1) A relevant authority must have regard to the surveillance camera code [created by s.29 of the Act] when exercising any functions to which the code relates.

The Policy Statement below further addresses the best practice set out in the surveillance camera code.

SCOPE

Purpose of the policy

The purpose of this policy is to enshrine within the Council's practices the Surveillance camera code of practice to ensure the Council meets its statutory obligations as stated above, and to ensure that individuals and the wider community have confidence that surveillance cameras are deployed to protect and support them rather than spy on them.

What is covered by the policy

This policy covers the CCTV system installed at Village Hall, Main Rd, Shavington, CW2 5DP

Who is covered by the policy

The following people and organisations are covered by this policy:

- (a) Data controller and data owner – meaning Shavington-cum-Gresty Parish Council
- (b) System manager – meaning the Parish Clerk
- (c) System user – meaning such officers or other staff authorised to use the surveillance equipment
- (d) Data subject – meaning any such individual whose personal information is captured by the surveillance equipment

POLICY STATEMENT

In accordance with the Surveillance Camera Code of Practice the Council has adopted the following 12 principles:

1. The CCTV system installed is for the prevention and detection of crime and antisocial behaviour at and around Village Hall, Main Rd, Shavington, CW2 5DP. The systems shall not be used for any other purpose, and there shall be a prohibition on the monitoring of the lawful movements of any individual.
2. There are varying and subjective expectations of privacy, and the Council shall not:
 - a. deploy surveillance camera systems in public places where there is a high expectation of privacy, including toilets and changing rooms;



SHAVINGTON CUM GRESTY

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- b. use any forms of audio recording in a public place, other than for the recording of Council and committee meetings
- c. use any form of facial recognition or other biometric characteristic recognition system

The Council shall also undertake a privacy impact assessment for any new form of surveillance it wishes to undertake and shall regularly review such assessments alongside this policy.

3. The Council shall ensure that sufficient signage is in place in all areas covered by any surveillance system, and that the Council's privacy policy, CCTV policy, complaints policy, and other relevant documents are published on its website.
4. The Data Controller and Data Owner shall have overall ownership for the surveillance systems in place, with the System Manager having responsibility for ensuring that proper governance arrangements are in place and ensuring that such arrangements are communicated to and adhered to by any system users.
5. The System Manager will ensure that all system users are aware of the contents of this policy and have sufficient training to safely and securely use the equipment.
As a default, all images captured shall be stored for a period of no longer than 31 days and deleted without review, unless the system manager is satisfied beforehand that there is a legitimate reason, for it being accessed and viewed.
The images will be stored on a password-protected/encrypted internal hard disk. Images shall be wiped or overwritten on a regular basis, and images will only be accessed following reports of specific incidents of fly-tipping, crime, or antisocial behaviour.
6. Access to all images by any permitted users is solely for the purposes set out in Principle 1 above. Access to stored images is restricted to the System Manager, and other system users.
Where footage is extracted for the purposes of passing this to a third party (e.g. the Police or a school for the identification of an offender) the Council shall ensure this complies with any data protection legislation, and any stipulations in its Data Retention Statement and Privacy Policy. The Council shall also take reasonable steps to ensure the third party has in place practices and procedures to comply with data protection regulations. Where another third party, such as a person whose property has been damaged, requests the disclosure of images, such requests will be approached with care and in accordance with relevant legislation, and with a view to the guidance set out in the Surveillance Camera Code of Practice.
7. The System Manager shall ensure that all CCTV follows the relevant British Standard on the operation and management of CCTV, and that all surveillance equipment meets any such additional standards as made available by the Surveillance Camera Commissioner.
8. The System Manager shall follow the guidance as outlined in Data protection code of practice for surveillance cameras and personal information 2017. All CCTV DVRs and SD cards used to capture images shall be password protected/encrypted.
9. The Data Controller shall review this policy and privacy impact assessments, along with the number and positioning of all surveillance cameras, in line with the Surveillance Camera Code of Practice.



SHAVINGTON CUM GRESTY

Shavington-cum-Gresty Parish Council
Main Rd, Shavington, Crewe, CW2 5DP

10. The Data Controller shall ensure that the quality and positioning of any surveillance equipment is such so as to achieve the highest quality and most useful images, including the use of HD cameras and IR night vision. Where images are to be used for law enforcement and criminal proceedings, the Council will ensure that there is an audit trail of all images used, and that such images are available in a readily exportable format without the loss of forensic integrity.
11. The Council will not use facial and biometric recognition technology. In addition, the Council does not have, nor has no intention of using, a reference database for the purposes of matching data captured from its surveillance systems.
12. Individuals have the right to request CCTV footage relating to themselves under the Data Protection Act and the GDPR. All requests should be made in writing to the Clerk and Responsible Officer who can be contacted by email to clerk@shavingtononline.co.uk. Individuals submitting requests for access will be asked to provide sufficient information to enable footage relating to them to be identified. For example: time, date and location. The Parish Council does not have a facility to provide copies of CCTV footage but instead the applicant may view the CCTV footage if available. The Parish Council reserves the right to refuse access to CCTV footage where this would prejudice the legal rights of other individuals or jeopardise an on-going investigation.

POLICY REVIEW

This policy will be reviewed every 2 years or when legislation changes if sooner