

# Thanet District Council



**Combined  
Surveillance/CCTV/Image  
recording technologies Policy  
November 2023**

**Draft V1**

## Authorised Version Control

Date	Version	Comments	Authorised by

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## 1. Introduction

The purpose of this policy is to combine and regulate the council's operation of digital image recording systems. For the purpose of this policy "systems" relate to any form of data captured at a minimum of 24 frames per second which is the minimum speed needed to capture video while still maintaining realistic motion.

The policy is broken down into 4 key parts

- Public Space Surveillance Systems (PSS)
- Static CCTV Systems SCS
- In Cab/Car technology systems (CTS)
- Body worn recording systems (BWV)

The combined Surveillance/CCTV/Image recording technologies Policy also introduces agreed minimum standards for all systems.

[https://docs.google.com/document/d/13gvoCR9MyTBafY5\\_Ab3htpU-0g5UeNQ4BvA5mdPfb04/edit?usp=sharing](https://docs.google.com/document/d/13gvoCR9MyTBafY5_Ab3htpU-0g5UeNQ4BvA5mdPfb04/edit?usp=sharing)

This policy also incorporates additional policy guidance around the capture and use of single image data.

## 2. Corporate Context

Thanet as a council embraces new and proven technology. Thanet has a unique geography and therefore the Council's technological requirements are unique, requiring bespoke solutions and workarounds.

The use of image capture technologies are subject to differing levels of legislative governance, government guidance and codes of practice. More detail of relevant requirements are covered in each of the 4 key parts contained within the combined policy. All systems in operation within the district MUST abide by the guiding principles as contained in the Biometrics and Surveillance Camera Commissioner code of practice 12 guiding principles for the operation of surveillance camera systems and the Thanet Surveillance/CCTV/Image recording technologies minimum standards.

All systems must:

1. Have a defined purpose and legitimate aim
2. Not knowingly impinge on an individual's privacy or human rights
3. Be operated transparently so people know they are being monitored
4. Be operated with good governance
5. Have clear policies, rules and procedures in place
6. Store no more images/data than strictly required
7. Have safeguards in place in relation to who can view images/data
8. Meet relevant and approved standards
9. Ensure images/data are stored securely
10. Review systems regularly (at least annually)
11. Be effective in supporting law enforcement
12. Databases used for matching purposes should be accurate and up to date

### 3. Legal principles

There are a number of legal obligations and principles connected with local authority use of image recording technologies, these are also underpinned by policy, guidance and best practice. The following relate to the use of all image recording technologies:

- General Data Protection Regulation (GDPR)
- The Data Protection Act 2018 (DPA)
- The Human Rights Act 1998 (HRA)
- The Freedom of Information Act 2000 (FOIA)
- The Regulation of Investigatory Powers Act 2000 (RIPA)
- The Protection of Freedoms Act 2012

All systems and operations MUST comply with relevant legislation, policies, procedures, guidelines and Codes of Practice. This is to ensure that the operation of the systems are at the highest possible standards.

In addition to associated policy, procedure and code of practice, the operation of PSS is subject to legislation under:

- Police and Criminal Evidence Act 1984 (PACE)
- Crime and Disorder Act 1998 (CDA)

Body Worn Video are also subject to:

- Information Commissioner's Office (ICO) CCTV Code of Practice
- Home office guidance Safeguarding body worn video data
- Surveillance Camera code of Practice
- TDC Body Worn camera process/procedure manual

The PSS and SCS are registered with the Information Commissioner under GDPR. Evidence of annual certification is available on the website of the Information Commissioner. Thanet District Council recognises our systems could potentially impact on a member of the public's right to respect for private and family life afforded by Article 8 of the European convention on Human Rights and the Human Rights Act 1998.

Whilst locations are routinely monitored, individuals will only be monitored if there is reasonable cause to monitor is in line with the objectives of the system.

Any monitoring activities that are not aligned with system objectives will only be permitted when authorised and may require the use of a RIPA authorisation.

Link to councils RIPA Policy 2022 [☰ Thanet District Council Draft RIPA Policy 2022](#)

Safety Camera Technology CTS are used with Thanet District Council operational vehicles for the purposes of:

- a) the safety, health and protection of staff;
- b) the safety and protection of the public;
- c) for the investigation of accidents, incidents and near misses;
- d) to improve efficiency and customer service and management;
- e) monitor working procedures.

With the use of CTS the 'processing is necessary for the performance of a task carried out in the public interest' - being the lawful basis on which we collect and use your personal information.

The legal basis is underpinned by acts of legislation and Codes of Practice that dictate what actions can and should be taken by local authorities, including but not limited to:

- Section 68 of the Serious Crime Act 2007 that allows us to share information;
- Code 33 Protection of Freedoms Act 2012;
- Section 30(1)(a) Surveillance Camera Commissioners code of practice.

#### **4. Part 1 Public Space Surveillance Systems**

##### **Introduction**

Thanet District Council uses a comprehensive public space surveillance system (PSS) usually referred to as Closed Circuit Television (CCTV).

This policy covers technology systems that are associated with, or otherwise connected with, public space surveillance cameras. Modern and ever-advancing surveillance camera technology provides increasing potential for the gathering and use of images and associated information. These advances vastly increase the ability and capacity to capture, store, share and analyse images, information and data. Advancements in sensor technology and artificial intelligence are developing at an ever-increasing pace, as is the ability to integrate these technologies with surveillance cameras. The overarching purpose of this policy is to guide installation and use in a way that the public would rightly expect and to a standard that maintains public trust and confidence.

This policy should be read in conjunction with the CCTV systems Code of Practice and Operational Manual [May 2022 TDC CCTV-Code-of-Practice-Version-8](#) . Failure to comply with these documents could lead to disciplinary action, which may lead to dismissal and in certain circumstances criminal proceedings against the individuals concerned.

### **Objectives and purpose of Public Space Surveillance Systems (PSS)**

It is important that everyone and especially those charged with operating the CCTV systems on behalf of the Council understand exactly why each of the systems has been introduced and what the systems will and will not be used for.

The system provides cameras at key locations throughout the district. Some images are transmitted via a leased fibre optic network, some are IP cameras which transmit their images via radio to fixed fibre nodes for onward transmission to the operational control centre and some are mobile systems incorporating an internal hard drive transmitting via mobile networks for monitoring at the operational control centre.

### **The Purpose and Objectives of the PSS system are:-**

- To assist in the detection and prevention of crime;
- To help provide evidential material for court proceedings;
- To deter those having criminal intent;
- To reduce the fear of crime and give confidence to the public that they are in a secure environment;
- To provide safer communities;
- To reduce acts of vandalism;
- To assist in the prevention and detection of antisocial behaviour that would deter members of the public from using the regions facilities;
- To reduce vehicle related crime and anti-social behaviour in car parks;
- To assist with traffic management;
- To provide security for assets;
- To safeguard the most vulnerable.

### **System Details**

The CCTV system records 24 hours a day, 365 days a year and is staffed to ensure effective operation and evidential data release. There is a direct radio link to the communications room at the Kent Police Headquarters. This allows access to Police Officers on the ground (through Control), and is sited on the main control desk in the CCTV control centre. The CCTV service will comply with the Airwave Service Code of Practice. The CCTV control centre also has a direct radio link with the ThanetSafe Shop Watch and Pub Watch. This is a partnership between retailers/ police and council.

The CCTV cameras located in Thanet are linked to the control centre via a fibre optic network or other transmission infrastructure and can only be controlled, and recorded by authorised personnel in that control centre. A limited number of camera feeds are available to Margate Police Station for operational purposes.

### **Responsible Officers**

Are responsible for:

The day-to-day operation of the PSS system and the security and accountability of all equipment and media and data used by the system. This includes any system owned or controlled or managed by a service level agreement or memorandum of understanding.

Assurance that any person using the PSS system is trained in the use of the equipment and comply with the Code of Practice and policies and procedures. They are not to permit any other staff to operate the equipment or view images without authorisation.

Acting as the first point of contact for enquiries, complaints and requests for evidence and as the liaison officer for all external and internal contacts.

The Responsible Officer may delegate aspects of this role, as appropriate, but will remain accountable. The Responsible Officer nor their staff will not instigate a RIPA request on their own behalf.

The SPOC will be responsible for ensuring all users are kept up to date on legislation and changes in procedures and will review TDC's Policy and Codes of Practice documents annually, and maintain a central database of all documents relating to the Council's PSS system .

### **PSS camera deployment**

The level of coverage in each of the areas with the Pan, Tilt and Zoom (PTZ) cameras is generally monitor and detection. With active patrols of vulnerable areas recognition or identification can be achieved.

Total privacy within the surveillance area cannot be guaranteed however the cameras will not be used to unduly monitor persons going about their lawful business. Persons will only be specifically monitored if there is suspicion or knowledge that an offence has or may be about to occur or for the purposes of safeguarding.

Cameras have been sited to provide surveillance of the town centres, foreshores, main beaches and in some cases, the surrounding areas of Thanet. The PSS system as contained within this policy relates to use and deployment of PTZ installations. This system is controlled in accordance with the Operational Procedures Manual and all operators utilise systems in line with the system purpose.

All new installations and upgrade of existing cameras will be commissioned in line with a privacy impact statement to ensure that the cameras deliver the correct field of view and are of adequate quality for their particular requirement as contained within the system purpose.

In certain geographic areas such as town centres, residential spaces such as gardens or building frontages may be visible to operators. Whilst not a standard procedure to "blank" these spaces, any resident may request access to view coverage of their own residence or request blanking be digitally instated over their own spaces via the CCTV page on the TDC website. This provides additional transparency and public reassurance.

The deployment of hidden or covert PSS cameras will not be undertaken for any reason without consultation with relevant directors and the councils CCTV team and all cameras should normally be clearly visible and clearly signed at a distance which allows for individual choice of entering a location covered by PSS systems.

Will be auditable to provide assurance that systems are operating only at locations where they can be utilised in line with the system purpose. The location and use of each camera will be reviewed annually and any camera found not to have been used effectively within the requirements of the system purpose for a 12 month period will be removed/decommissioned/relocated.

The use of dummy cameras will not be utilised for any purpose as part of the PSS system.

## **Camera/location decommission**

Under the Biometrics and Surveillance Camera Commissioner's CCTV code of practice, prior to the installation of new CCTV the necessity and proportionality needs to be reviewed and an impact assessment completed. It is further required that the necessity, proportionality and effectiveness of the PSS system will be audited to assess whether the location of cameras remains justified in meeting the stated purpose and whether there is a case for removal or relocation. The authority for removal/relocation of CCTV cameras is held by the appropriate head of service. This review shall be undertaken every 2 years.

## **Evidential reviews and data release**

Data via Images (digital video or still images) will not be retained for longer than is necessary. Data from the PSS system is stored in digital format on hard drives for a period of 31 days. After this time the images are erased. Data downloaded or processed for evidential purposes will be retained for a maximum of 90 days prior to destruction.

Only authorised personnel in the CCTV team or those delegated are authorised to access or disclose the data stored on the hard drives.

All data will be handled in accordance with this policy, CCTV Code Of Practice (COP) and the Operational Procedures Manual. All operators of the system will be fully trained in handling and processing data.

Evidential images will be provided on appropriate media which are referenced and recorded on Request For CCTV Recorded Material Form. This is to prevent the unlawful release of footage.

Data under normal circumstances will only be disclosed under the Police and Criminal Evidence Act (PACE) and the Evidence and Disclosure Act and the prosecuting authorities are required to follow the procedures set out in these Acts.

## **5. Part 2 Static CCTV Systems SCS**

### **Introduction**

Static camera installations provide a fixed field of view of a particular scene e.g. an area of a car park or stairwell. Cameras have been sited to provide coverage of the town centres, selected car parks, Civic offices, and in and around Local Authority housing stock. Under normal circumstances these systems are not subject to live monitoring unless directly connected to the councils monitoring suite.

Not all Static camera installations utilised by the council are under the ownership or control of the CCTV team. The ownership and responsibility of individual SCS are spread throughout a number of directorates across the council leading to the requirement of this policy to regulate SCS across the council

In the district, static cameras systems SCS are deployed in line with system objectives at a number of locations where camera coverage is deemed as required or preferable but the level of coverage is not required to the level of PSS There are a number of SCS cameras and systems covering Civic Buildings, council owned depots, public car parks and council owned high rise and low rise



residential blocks.

## Objectives and purpose

It is important that everyone and especially those charged with accessing the SCS systems on behalf of the Council understand exactly why each of the systems has been introduced and system purpose

### Objectives and purpose of SCS schemes are:-

- To assist in the detection and prevention of crime;
- To help provide evidential material for court proceedings;
- To provide safer communities;
- To reduce acts of vandalism;
- To assist in the prevention and detection of antisocial behaviour
- To reduce vehicle related crime and anti-social behaviour in car parks;
- To provide security for assets;
- To safeguard the most vulnerable.

### System/s Details

Static camera installations provide a fixed field of view of a particular scene e.g. an area of a car park or stairwell. static camera which only activates and takes images on motion capture. Some cameras may have the facility to record sound as well as images.

### Responsible Officers

Are responsible for:

The day-to-day operation of the SCS system and the security and accountability of all equipment and media and data used by the system. This includes any system owned or controlled or managed by a service level agreement or memorandum of understanding.

Assurance that any person using the PSS system is trained in the use of the equipment and comply with the Code of Practice and policies and procedures. No users are to operate the equipment or view images without authorisation.

The council's CCTV control suite will be the first point of contact for enquiries and requests for evidence .

The Responsible Officers may delegate aspects of this role, as appropriate, but will remain accountable.

RIPA based CCTV implementation will not take place without corporate approval.

The SPOC will be responsible for ensuring all users are kept up to date on legislation and changes in procedures and will review TDC's Policy and Codes of Practice documents annually, and maintain a central database of all documents relating to the Council's PSS system

### camera deployment

Static camera installations provide a fixed field of view of a particular scene e.g. an area of a car park, stairwell or building access points.

Additional camera installations or changes/upgrades to camera systems will require a data privacy impact assessment for each change.



These cameras will be controlled to the same standard as PSS systems and all users will be fully aware that they are only able to use the systems in order to achieve the purpose(s) for which it has been installed. In certain circumstances or upon approved request, it is a function of the equipment that parts of specific scenes may be electronically “blanked” from providing a view of an area.

### **Evidential reviews and data release**

Data via Images (digital video or still images) will not be retained for longer than is necessary. Data from the PSS system should be stored in digital format on hard drives for a maximum period of **31 days**. After this time the images are erased. Due to the nature of some cameras on the SCS such as motion detection, some hard drives may require manual deletion. The deletion of data from recording systems contained within housing locations is the responsibility of the council's housing department and the responsible manager within housing will ensure compliance with the councils CCTV procedure manual (version 8)

Data downloaded or processed for evidential purposes will be retained for a maximum of **90 days** prior to destruction.

Only authorised named personnel outside of CCTV establishment can access or disclose the data stored on the hard drives stored out.

All data will be handled in accordance with this policy, CCTV Code Of Practice (COP) and the Operational Procedures Manual.

Evidential images will be provided on appropriate media which are referenced and recorded on Request For CCTV Recorded Material Form. This is to prevent the unlawful release of footage.

Data will only be disclosed under the Police and Criminal Evidence Act (PACE) and the Evidence and Disclosure Act and the prosecuting authorities are required to follow the procedures set out in these Acts or in line with system objectives and purpose.

## **6. In Cab/Car technology systems (CTS)**

### **Introduction**

The Council provides a range of services in-house Waste Collection service as contained within the Department for Environment Food & Rural Affairs: “Guidance for local authorities 2021”.

Under the Health and Safety at Work Act 1974, employers have a duty to protect the health, safety and welfare of their employees and other people who might be affected by their business. Employers must do whatever is reasonably practicable to achieve this. This means making sure that workers and others are protected from anything that may cause harm, effectively controlling any risks to injury or health that could arise in the workplace.

The cost of insurance on a significant number of fleet vehicles is prohibitively high. The implementation of CTS is a strong mitigating factor in managing these costs.

CTS technologies are inclusive of (but limited to) the following:

- Dash Cam's - Internally or externally Vehicle-mounted cameras which may transmit images to a control, monitoring and/or recording facility;

- Automatic Number Plate Recognition (ANPR) - Cameras, which capture and interpret the vehicle registration number of vehicles;
- CTS technologies that also include audio;
- Vehicle telematics - combines GPS systems, onboard vehicle diagnostics, wireless telematics devices, and black box technologies to record and transmit vehicle data, such as speed, location, maintenance requirements and servicing, and cross-reference this data with the vehicle's internal behaviour;
- New/ emerging CTS systems under trial/ implementation. Now or in the future.

### Objectives of Purpose of systems

The council respects and supports the individual's entitlement to go about their lawful business and this is a primary consideration in the operation of the system. cameras will not be used to monitor individuals, including employees, in the ordinary course of lawful business. Some cameras may have the facility to record sound as well as images.

CTS for privately owned vehicles are not covered in this policy but are covered in the Driving for the Council Policy [Employee Council - TDC - Driving for the Council Policy Draft 28-04-20](#)

### The purpose and objectives objectives of CTS schemes are:

- To assist in the detection and prevention of crime;
- To assist the Council and its insurers to defend or progress insurance claims;
- To help reduce insurance premiums;
- To protect the corporate assets from damage or theft;
- To provide evidence to help understand the cause and seriousness of accidents, 'near misses' and dangerous occurrences;
- To investigate reported breaches of the Health and Safety Policy and established working practices;
- To support the evidence gathering process for complaints, grievances or whistleblowing
- provide evidence to support the inquiries of enforcement bodies;
- To provide a staff training resource
- To enhance customer care.

### System Details

System based upon vehicle telematics. A branch of information technology which deals with the long-distance transmission of computerised information. - combines GPS systems, onboard vehicle diagnostics, wireless telematics devices, and black box technologies to record and transmit vehicle data, such as speed, location, maintenance requirements and servicing

### Responsible Officers

Are responsible for:

The day-to-day operation of the CTS and the security and accountability of all equipment and media and data used by the system. This includes any system owned or controlled or managed by a service level agreement or memorandum of understanding.

Assurance that any person using the CTS system is trained in the use of the equipment and comply with the Code of Practice and policies and procedures. No users are to operate the equipment or view images without the authorisation of the named manager responsible for the system.

The council's CCTV control suite will be the first point of contact for enquiries and requests for third party evidence .

The Responsible Officers may delegate aspects of this role, as appropriate, but will remain accountable. The Responsible Officers nor their staff will not instigate a RIPA request on their own behalf.

The SPOC will be responsible for ensuring all users are kept up to date on legislation and changes in procedures and will review TDC's Policy and Codes of Practice documents annually, and maintain a central database of all documents relating to the Council's PSS system

### **Camera deployment**

Cameras are positioned to provide the best field of view. The current positions of the cameras are as follows:

- One camera fixed at the front of the vehicle;
- Two cameras, one on either side of the vehicle;
- One camera fixed at the rear of the vehicle;
- One camera fitted above the door left-hand side of cab, facing crew and driver.

The cameras are fixed in position during the installation of the system by the installation engineers and must remain in these positions and can only be relocated with approval from system managers. In the event that the cameras have become out of alignment, this must be reported as soon as possible to system managers.

Cameras attached to the CTS are positioned to record images of the immediate area surrounding the vehicle and do not show a broad view of the location, therefore cameras are not intentionally or deliberately intrusive.

### **Evidential reviews and data release**

Data via Images (digital video or still images) will not be retained for longer than is necessary. Data from the CTS system is stored in digital format on hard drives for a period not exceeding 31 days. After this time the images are erased. Data downloaded or processed for evidential purposes will be retained for a maximum of 90 days prior to destruction unless disclosed as evidence.

Data used for training purposes (non personal) may be retained for the duration of the training programme.

Only authorised personnel are to access or disclose the data stored on the in cab/PC hard drives.

All data will be handled in accordance with this policy, CCTV Code Of Practice and the Operational Procedures Manual. All users of the system will be trained in handling and processing data.

All reviews of images will be recorded in accordance with this policy, CCTV Code Of Practice and the Operational Procedures Manual.

Evidential images will be provided on appropriate media which are referenced and recorded on Request For CCTV Recorded Material Form. This is to prevent the unlawful release of footage for its intended purpose.

## **7 Part 4 Body Worn Video (BWV)**

### **Introduction**

This section sets out the Council's Policy to regulate the management, operation and use of Body Worn Video Camera Systems (BWV). The policy has been developed in line with best practice guidance from the ICO, CCTV Code of Practice and the Home Office Surveillance Camera Code of Practice, which includes the use of BWV.

A body camera, bodycam, body worn video, body-worn camera, or wearable camera BWV is a wearable audio, video, or photographic recording system.

Body-worn cameras are recording devices worn by council staff during the commissioning of duties. In particular the council's Civil Enforcement Officers. Devices are capable of collecting audio and video data during activities and encounters whilst out in the district.

This policy should not be viewed in isolation but in line with departmental procedures, Lone working Policy and relevant procedures/ codes of practice including the councils Body Worn Camera process/procedure manual (where applicable)

### **The Objectives and purpose of BWV systems are:**

The Council has an obligation under the Health and Safety at Work Act 1974, to ensure the Health, Safety and Welfare of its employees. It is particularly important that it helps to protect and support its mobile workers and lone workers whilst they are carrying out their duties away from the office. The use of BWV in public spaces is considered lawful.

BWV users can make a recording both in public or private premises so long as its use is within system objective and purpose and is considered by the user proportionate, legitimate and necessary.

Officers due to the nature of their work, are sometimes open to aggressive and/or abusive encounters. Therefore the use of BWV is a useful tool for reducing the risk of and the impact of any potential negative encounter. It is important that everyone and especially those cursing BWV systems on behalf of the Council understand exactly why each of the systems has been introduced and what the cameras will and will not be used for.

### **The purpose of BWV systems are as follows:**

- To assist in the detection and prevention of crime
- To support enforcement/ outreach activities
- To support the health, safety and welfare of users
- To Reduce the risk of incident escalation
- To promote transparency
- To reduce complaints and support complaint management.
- To provide a staff training resource

- To enhance customer care.

## System Details

Recorded data from a BWV device can provide compelling evidence and support the health, safety and wellbeing of staff engaged in lone working practices.

Pre implementation of BWV systems will require a needs/risk assessment and completion of a data Protection Impact Assessment relevant to purpose and intended use

The recording of activities and interactions has the potential to contain information that while not crucial to the activity could still be considered sensitive in nature. If any of the recorded information is accessed by an unauthorised third party then this risks causing intrusion into a person's privacy.

The principle use of Body worn CCTV is for Health and Safety purposes, though not in totality. It will be used in an overt manner and emphasised by officers wearing clear identification that it is a CCTV device. Prior to commencement of any recording, where possible, officers will give a clear verbal instruction that recording is taking place.

## Responsible Officers

Are responsible for:

Assuring equipment used is charged, operational and fit for purpose.

Ensuring BWV is utilised inline with the system purpose. And should not be used ad hoc or whilst performing normal patrolling activities.

Recording should be incident specific. Officers will not indiscriminately record entire duties or patrols and must only use recording to capture video & audio of specific incidents.

Any recording undertaken in private/residential locations must be reported retrospectively to the appropriate system manager.

System users need to be fully aware of the legal and policy/ codes of practice related to use of BWV.

## System Managers

System managers are responsible for ensuring that the system is required and GDPR regulations and requirements are up to date.

That any person using the BWV system is trained in the use of the equipment and comply with the Code of Practice and policies and procedures and not to permit any other staff to operate the equipment or view images without the authorisation of the named system manager.

Acting as the first point of contact for requests for evidence and as the liaison officer for all external and internal contacts.

The system manager may delegate aspects of this role, as appropriate, but will remain accountable.

The Responsible Officer nor their staff will not instigate a RIPA request on their own behalf.

The system manager will be responsible for ensuring all users under their scheme are kept up to date on legislation and changes in procedures and will review relevant Policy and Codes of Practice documents annually, and maintain a central record of all documents relating to the to any BWV system under their responsibility.

### **Evidential reviews and data release**

BWV systems should be encrypted to an advanced standard to prevent unauthorised access/ downloading All data not required for evidential purposes will be deleted upon download.

All recorded footage should be capable of uploading to a dedicated and secure Computer. Data uploaded is required to be recorded and footage will not be retained for longer than is necessary. Data from the BWV system is stored in digital format on hard drives for a period of 31 days unless processed as evidence. After this time the data will be erased. Data downloaded or processed for evidential purposes will be retained for a maximum of 90 days prior to destruction unless released.

Only authorised personnel in the relevant department are authorised to access or disclose the data stored on the hard drives.

All data will be handled in accordance with this policy, the council's Body Worn Camera process/procedure manual. All users of the system will be trained in handling and processing data.

Evidential images will be provided on appropriate media which are referenced and recorded on Request For CCTV Recorded Material Form. This is to prevent the unlawful release of footage.

Data under normal circumstances will only be disclosed under the Police and Criminal Evidence Act (PACE) and the Evidence and Disclosure Act and the prosecuting authorities are required to follow the procedures set out in these Acts.

## **8. All Systems Image retention policy**

**The purpose of this policy is to combine and regulate the councils capture, use of and retention of digital images of less that 24 frames per second across image recording technologies.**

The council may on occasion utilise battery operated motion activated single image capture devices (Sometime referred to a wildlife cams). Officers engaged in the use of image recording technologies will either utilise the aforementioned device or utilise other systems contained within the Combined CCTV/Image recording technologies Policy in order to process still images during the course of their work.

Data in this format may be classed as personal data. Specific regulations exist at European level concerning the right to privacy of individuals.

The capture and or use of single images from recording technologies while outside of policies related to data capture of 24 frames per second must still be utilised within the purpose.

### Image capture purpose:

- For the prevention and detection of crime
- To assist in target identification.
- To help provide evidential material for court proceedings.
- To assist in the prevention and detection of antisocial behaviour.
- To support the health, safety and welfare of staff and partners.
- To safeguard the most vulnerable.

Any officer engaged in the download/retrieval of single Still images must appraise themselves of this policy and associated codes of practice with particular reference to the purpose of downloading/ distributing single image data.

The use of a camera or handheld device in order to capture facial images from a monitor is prohibited.

Any officer engaged in the download/ retrieval of single images are responsible for these images. The CCTV department will hold a centralised register of these images including any appropriate incident details. Any person utilising single image capture from image recording technologies must inform the council's CCTV department.

The CCTV department shall retain data for as long as a subject is 'active' in the Thanet District Council area. However, data over two years old will be deleted under yearly audits e.g. even if a subject is active, any images over 1 year shall be deleted. If a subject only comes to our notice once and no further reports are received, they shall be deleted after 3 months. Images of unidentified offenders / persons of interest shall be deleted after 1 year.

Information regarding vulnerable / missing persons shall be held for the same time period as above. Information concerning persons under 14 or perceived to be under 14, shall not be retained unless there is a significant public interest and the agreement is obtained from the CCTV Supervisor or CCTV Manager.

Images regarding persons under 18 shall be retained only inline with this policy and deleted after a maximum of 180 days.

Balance of Interests Assessment (Under the provisions of the GDPR) Thanet CCTV balances the legitimate interests of image retention against the impact on an individual. Offenders and suspected offenders have no right to commit crime and antisocial behaviour. The need to protect members of the public and their property is a legitimate interest as far as the GDPR is concerned. As such the impact upon the individual data subject is such that this balances the interests of both parties. TDC CCTV collates information that is only used within the department and Police, that has been deemed to be a proportionate and necessary use of that data to protect the local community and their property from low-level crime and antisocial behaviour.

All documents shall be reviewed on a planned proactive basis. This shall be at least once a year. An audit shall take place of the CCTV image data files on a rolling basis to remove old files.

Data Security, appropriate measures will be taken to ensure that personal data is kept securely in accordance with our code of practice. CCTV Operators, The CCTV Supervisor & Manager must prevent unauthorised access to or alteration, disclosure, accidental loss or destruction of such personal data. This may constitute a breach of the act/bill. And may lead to further action.



A robust file destruction will take place whereby retrieval will not be possible.

## Data Protection

### Access to data

Data disclosure outside of normal circumstances will be related to data subject access requests or related to insurance claims. Any request that falls outside of these circumstances requires CCTV management approval.

### Data Breaches

The system Manager will follow established policy in relation to any data breach.

Under the GDPR, any breach has to be reported to the ICO within 72 hours of discovery. If a breach is identified, the subject identified in the data breach, shall be informed by the Data Processor if they are not already aware.

## Appendes

1. (PSS) SCS CCTV data protection impact assessment
  - 📄 April 2022 Revised Data\_Protection\_Impact\_Assessment\_EG Draft
2. (CTS) Data Protection Impact Assessment.
  - 📄 JS W&R Safety Camera Technology - Data Protection Impact Assessment
3. Request for CCTV material Form
  - 📄 BLANK Request for CCTV Recorded Material Form 2019.pdf