



# Helsby Parish Council

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## **CCTV AND SURVEILLANCE POLICY**

**Version 3 – adopted by PCA Committee Oct 2023  
Next Review Due – Oct 2024**

### **Introduction**

The purpose of this policy is to control the management, operation, use and confidentiality of the CCTV system located at the play area in Helsby as managed by Helsby Parish Council.

The policy was prepared after taking due account of the updated code published by the Surveillance Camera Code of Practice which came into effect on 12 January 2022 and the General Data Protection Regulations 2018. It will be subject to an annual review by the parish council to ensure that it continues to reflect the public interest and that it meets all legislative requirements.

Helsby Parish Council is registered with the Information Commissioner under the terms of the Data Protection Act 2018.

### **Project aims and objectives**

To install and maintain a CCTV system following criminal damage and anti-social behaviour in this area (e.g. damage to play equipment, picnic tables and litter bins, general disturbance and litter issues). Such damage has caused several thousands of pounds worth of damage over a number of recent years, caused inconvenience to users of the play area, has had a detrimental impact on the council's ability to manage the area according to health and safety regulations and has caused disturbance to local residents.

### **Statement of Purpose**

The CCTV system will help to provide a safe and secure environment for the benefit of those who might visit, work or live in the area. It will only be used in accordance with the law. The scheme will be used for the following purposes:

- To reduce the fear of crime by people using the play area and parish field;
- To prevent, deter and detect crime and anti-social behaviour;
- To assist the police with identification, detection, apprehension and prosecution of offenders by examining and using retrievable evidence relating to crime and public order; and

- To act as a deterrent to potential offenders by publicly displaying the existence of CCTV, having cameras clearly sited that are not hidden and signs on display in areas being monitored.

## **System Details**

Two 8MP colour/mono fixed position external infrared IP CCTV cameras are mounted on a 6-metre mast located by the path running from Lower Robin Lane to Parkfield Drive at the top of the parish field. The area of surveillance includes the play facilities and picnic tables, with images from the cameras being suitable for enlargement to aid the identification of individuals. Infrared digital cameras enable monitoring in no/low light levels.

Footage is recorded on an 8 channel Hikvision high-definition colour network video recorder located in a locked cabinet within the nearby scout hut. Only the System Manager (Parish Clerk) and a designated trained councillor(s) (in the case of absence of the clerk) have access to this cabinet and make arrangements for accessing the building with the scouts when needed. The recorder includes a USB port to enable the downloading of images. Remote access is also possible. In addition, a 19" flat screen monitor is installed on top of the cabinet adjacent to the recorder.

The scouts cannot access data from the parish council system. Planning permission has been granted for the CCTV mast.

## **Guiding Principles of the Surveillance Camera Code of Practice**

***Principle 1: The use of a surveillance camera system must always be for a specific purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need***

The use of the CCTV system is to ensure the play area is a safe place to be for all members of the local community. The council will operate a system of 2 CCTV cameras located on a single mast overlooking the play area for the prevention and detection of crime and antisocial behaviour. Footage is only viewed as required when incidents occur that need investigation. Where results show offenders causing damage or misuse of the area, this will be shared with the police.

***Principle 2: The use of a surveillance system must take into account its effects on individuals and their privacy with regular annual reviews to ensure its use remains justified.***

Whilst captured data is not assessed as personal data, a data protection impact assessment has been undertaken and will be periodically reviewed (see Appendix 1). The cameras will record images in a public place (a children's play area) and no images

will be recorded of any neighbouring properties – either into their gardens or inside their properties. The council will always act with integrity and not abuse the equipment or change the pre-set criteria to compromise the privacy of any individual.

***Principle 3: There must be as much transparency in the use of a surveillance camera as possible including a published contact point for access to information and complaints.***

The council shall ensure that sufficient signage is in place in all areas covered by any surveillance system and that the council's privacy notice, CCTV and Surveillance Policy, Complaints Policy and other relevant documents are published on its website. The parish clerk can be contacted at [parishclerk@helsbyparish.org.uk](mailto:parishclerk@helsbyparish.org.uk) or on 01928 726433 for any queries related to the system. Letters have also been sent out to all residents in the vicinity of the play area to make them aware that a CCTV system is in operation.

***Principle 4: There must be a clear responsibility and accountability for all surveillance camera system activities including image and information collection, held, and used.***

The play area is owned and managed by Helsby Parish Council. The Data Controller and Data Owner (Helsby Parish Council) shall have overall ownership for the surveillance systems in place, with the System Manager (Parish Clerk) having responsibility for ensuring that proper governance arrangements are in place.

***Principle 5: Clear rules and procedures must be in place before a surveillance camera system is used and these must be communicated to all who need to comply with them.***

The System Manager will ensure that all councillors are aware of the contents of this policy. The clerk and a designated trained councillor(s) will have sufficient training to use the equipment safely and securely.

***Principle 6: No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance system and such images and information should be deleted once their purpose has been discharged.***

As a default, all images captured shall be deleted without review, unless the System Manager is satisfied beforehand that there is a legitimate reason, under Principle 1, for it being accessed and viewed. CCTV images are stored for a period of up to 90 days, following which they are automatically overwritten. Any data passed to the police will then be in accordance with the powers and duties under the General Data Protection Regulations and the Regulations of Investigatory Powers Act. The System Manager will

periodically check the CCTV system to ensure it is working correctly. No images will be downloaded unless anti-social behaviour or detections of crime have occurred.

***Principle 7: Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.***

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 a designated trained councillor(s). Where footage is extracted for the purposes of passing this to a third party (e.g. to the police 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. Any visits to view images will be logged by the clerk. Unless on the advice of the police, CCTV images will not be shared on Social Media platforms. Appendix 2 sets out how to apply to the council to review any CCTV recordings.

***Principle 8 Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.***

The System Manager shall ensure that the operation and management of CCTV, and all surveillance equipment meets any such standards as made available by the Surveillance Camera Commissioner. The CCTV shall undergo an annual maintenance to ensure it is working and cameras are all in the correct direction and location. The System Manager will regularly check the accuracy of the date/time displayed.

***Principle 9: Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.***

The System Manager shall follow the guidance as outlined in the Surveillance Camera Code of Practice. All CCTV, DVRs and SD cards used to capture images shall be password protected. The system is located in a locked cabinet only accessible by the System Manager (in the scout hut) or by a designated trained councillor(s). Scout members do not have access to the Parish Council owned CCTV system.

***Principle 10: There should be effective review and audit mechanism to ensure legal requirements, policies and standards are complied with in practice and regular reports should be published.***

The Data Controller shall review this policy and data protection impact assessments, along with the number and positioning of all surveillance cameras, in line with the Surveillance Camera Code of Practice. The day-to-day operational responsibility rests with the clerk of the parish council as the System Manager. Breaches of this policy will be investigated by the clerk and reported to the parish council. Any written concerns or complaints regarding the use of the system will be considered by the parish council, in line with the existing complaints policy.

***Principle 11: When the use of a surveillance camera is in pursuit of a legitimate aim and there is a pressing need for its use, it should then be used in the most effective ways to support public safety and law enforcement with the aim of processing images and information of evidential value.***

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. These images shall only be shared with the Police and not available to the general public.

***Principle 12: Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.***

The council does not have, nor has any intention of using, a reference database for the purposes of matching data captured from its surveillance systems. Any data to be used with regards to criminal activity shall be passed to the police for them to take action.

## **Appendix 1**

### **CCTV Camera System Data Protection Impact Assessment**

#### **Overview**

Helsby Parish Council has installed CCTV cameras over Helsby play area, in response to complaints of anti-social behaviour and occasional vandalism. There are two cameras installed on one mast with views across the site. The purpose of recording images is to prevent crime, anti-social behaviour or fraud and to detect it where prevention has failed. Images are recorded onto a digital recorder which is stored in a locked cabinet within the scout hut on the parish field. Images are only accessible using a password.

#### **System Operator**

The System Operator is Helsby Parish Council.

#### **System Manager**

The System Manager is an operator authorised by Helsby Parish Council. This is the parish clerk.

#### **Aims and Benefits**

The aims are:

- To prevent crime and anti-social behaviour and, where necessary, detect it;
- To provide secure footage of detected crimes or incidents in order that they can be reported to and investigated by the Police.

The benefits of the installations are:

- Crime is deterred by the presence of CCTV and signage;
- Crime is detected where prevention fails and action can be taken to ensure that the play area is safe and secure for use by the users of the premises.

The benefits to other parties are:

- Crime is detected and images recorded in order to help the police with any investigations;
- The users of the play area and visitors are able to use the facilities safely and securely.

#### **Needs Identified**

Helsby play area is located off Chester Road, adjacent to the local parish field. It contains a number of fixed children's play apparatus, 2 picnic tables, a litter bin and various benches. There have been incidents of vandalism and reports of anti-social behaviour in recent years. Most recently in 2021, 2 picnic benches were totally destroyed and had to be replaced at a cost of several thousand pounds. A number of

residents have been supportive of a CCTV system in the play area in the past and following the latest incident, many voiced their concerns and the need for better surveillance there on the local Facebook page. The parish council, after correspondence with police representatives (including the local PCSO, Cheshire's Police and Crime Commissioner and Cheshire Constabulary's Designing Out Crime Officer) and CCTV specialists, has concluded that a CCTV system would be the most effective deterrent to protect users of the site.

### **Alternative options considered apart from CCTV**

The parish council employs a general maintenance company that works twelve hours each week on village maintenance work. This includes carrying out inspections of the parish field and the play area as well as bin emptying duties. However, the company employees are not responsible for the behaviour of users, neither are they responsible for challenging anything untoward if observed. In addition, the company does not carry out any duties during the evening when most incidents of anti-social behaviour tend to occur.

Alongside the CCTV project, the parish council is installing additional lighting on the parish field adjacent to the play area. The parish council felt that the installation of this lighting scheme presented a good opportunity to put in any infrastructure required for a CCTV system at the same time and would help to reduce the overall costs of both projects. The lighting project will not cover the entire area of the play area, so it was felt that a CCTV system in this area was required to prevent any further episodes of criminal damage and anti-social behaviour.

### **Information Flows**

Information is continuously recorded on a digital recorder in the scout hut. This is fed from two cameras across the site mounted on a single mast on a grassed area at the top end of the parish field. Footage is kept until the system overwrites previous information which lasts 90 days. In the event of crime being reported, the footage is reviewed by an authorised operator of the parish council (The Clerk).

The company which installed the system will provide technical support to the parish council, to access information, if and when required.

Access to the system is strictly controlled. The System Manager has sole control of access and can access the system both at the scout hut and remotely, if required, to check that the cameras and recorders are functioning correctly.

The system stores high-definition images only. Images are recorded as colour during the day and in black and white at night. The cameras are positioned and aimed so that only information about individuals using the facilities are captured. The cameras do not record images of people in their dwellings. Face recognition and number plate identification software is not used.

Individuals are told about the scheme by signage being erected in the area covered by the cameras. The contact details of the parish council, as the scheme operator, are clearly displayed as are the purposes of the scheme – the prevention and detection of crime. Personal data is only be recorded for the purposes of the prevention and detection of crime, anti-social behaviour or fraud and is not used for any other purposes.

### **Risks**

The key risk associated with the project is that personal information in the form of video footage will be used for purposes other than the objectives of the project – the prevention and detection of crime at the facilities.

### **Mitigation/Privacy Solutions**

The risk is mitigated by limiting access to the data to authorised persons and ensuring that the data is only provided to the police for the investigation of crime, fraud or anti-social behaviour.

Any requests for data to be used in other ways will be denied.

Data is kept under secure conditions – in a locked cabinet protected by physical security (a locked cabinet inside a building) and software security (password protected software to access video footage).

Further, the deletion of data on a rolling recording process means that images recorded more than 90 days ago will be routinely overwritten.

### **Conclusion**

The parish council believes that this impact assessment demonstrates that the CCTV installations represent an appropriate response to ongoing crime and security issues.

This assessment has identified the risks and proposed mitigation or privacy solutions that protect the public whilst ensuring that the CCTV scheme can achieve its objectives.

### **Review**

This assessment will be reviewed annually by the System Manager and a report will be submitted to the parish council.



## **Appendix 2**

### **CCTV – APPLICATIONS FOR REVIEW OF CCTV RECORDINGS**

The CCTV system in Helsby play area is intended to help deter and reduce crime and anti-social activity in order to provide a safe and secure environment for members of the public, and to prevent the loss or damage to property.

Individuals may apply for CCTV footage to be reviewed when a crime or incident has occurred, and there is a reasonable likelihood that the event or evidence has been captured by the CCTV system.

In the event of suspected criminal activity, this should in the first instance be reported to the police, and a reference number or crime number obtained.

Except in an emergency, applications for a review of CCTV footage should be made in writing to the parish clerk.

Individuals submitting applications for a review of CCTV recordings will be required to provide sufficient information to enable the request to be considered and for the relevant footage to be located. This will include the date, time, location, and nature of the incident that has occurred. An authorised person will then determine whether there is a reasonable likelihood that the event or evidence has been captured by the CCTV system, and whether the incident warrants examination of the recording (a Qualifying Event).

The council reserves the right to refuse to examine CCTV footage for minor or trivial events, or where dates and times cannot be provided, or if the likelihood of the event being captured by the CCTV system is low.

Helsby Parish Council can make no guarantee that the incident will be captured or located. The council's authorised person will review the relevant section of recorded CCTV images and shall inform the applicant whether the incident has been captured or not, together with a brief description of the events recorded.

In the event that the recording has captured images of serious offences, accidents, incidents of crime or anti-social behaviour, this will be reported to the police or other enforcement authority, and the relevant film footage will be made available for them to view.

Please note that applicants do not have the legal right to view the recorded images themselves. Access to recorded images will be restricted to those personnel authorised to view them and will not be made more widely available. There will be no disclosure of recorded data to third parties other than to authorised personnel such as the police.