

Introduction

Worthing Allotment Management (WAM) uses closed circuit television (CCTV) images to protect its property and to provide a safe and secure environment for volunteers and visitors to the allotments. This policy sets out the details of how Worthing Allotment Management will collect, use and store CCTV images. For more information on individual's privacy rights associated with the processing of personal data collected through CCTV images please refer to WAM's privacy notice and data protection policy.

The Company's CCTV facility will record images and audio.

Purposes of CCTV

Worthing Allotment Management has carried out a data protection impact assessment and on the basis of its findings it considers it necessary and proportionate to install and use a CCTV system. The data collected from the system will assist in:

- Prevention or detection of crime including fly tipping and anti-social behaviour.
- Identification and prosecution of offenders.
- Monitoring of the safety and security of allotment sites managed by WAM.
- Ensuring that health and safety rules and WAM's procedures are being complied with.
- Prevention of damage to, or theft of, WAM property.
- Identification of unauthorised actions and to assist in providing relevant evidence.
- Monitoring areas for identification of wildlife species and, where appropriate, for their protection.

Location of cameras

Cameras are located at strategic points throughout Worthing Allotment Management's allotment sites, principally at the entrance and exit points. WAM has positioned the cameras so that they only cover communal or public areas on the allotments and they have been sited so that they provide clear images. No camera focuses, or will focus, on toilets.

All cameras (with the exception of any that may be temporarily set up for covert recording) are also clearly visible.

Appropriate signs are prominently displayed so that allotment tenants, co-workers, family members and other visitors are aware they are entering an area covered by CCTV.

Recording and retention of images

Images produced by the CCTV equipment are intended to be as clear as possible so that they are effective for the purposes set out above. Maintenance checks of the equipment are undertaken on a regular basis to ensure it is working properly and that the media is producing high quality images.

Images may be recorded either in constant real-time (24 hours a day throughout the year), or only at certain times, as the needs for recording dictate.

As the recording system records digital images, any CCTV images that are held on the hard drive of a PC or server are deleted and overwritten on a recycling basis and, in any event, once the hard drive has reached the end of its use, it will be erased prior to disposal.

Images that are stored on, or transferred on to, removable media such as CDs or which are stored digitally are erased or destroyed once the purpose of the recording has been met. In normal circumstances, this will be a period of 12 months. However, where a law enforcement agency is investigating a crime, images may need to be retained for a longer period.

Access to and disclosure of images

Access to, and disclosure of, images recorded on CCTV is restricted. This ensures that the rights of individuals are retained. Images can only be disclosed in accordance with the purposes for which they were originally collected.

The images that are filmed are recorded centrally and held in a secure location. Access to recorded images is restricted to the operators of the CCTV system and to those WAM officers who are authorised to view them in accordance with the purposes of the system. Viewing of recorded images will take place in a restricted area to which others will not have access when viewing is occurring. If media on which images are recorded are removed for viewing purposes, this will be documented.

Disclosure of images to other third parties will only be made in accordance with the purposes for which the system is used and will be limited to:

- The police and other law enforcement agencies, where the images recorded could assist in the prevention or detection of a crime or the identification and prosecution of an offender or the identification of a victim or witness.
- Prosecution agencies, such as the Crown Prosecution Service.
- Relevant legal representatives.
- Worthing Borough Council.
- Individuals whose images have been recorded and retained (unless disclosure would prejudice the prevention or detection of crime or the apprehension or prosecution of offenders).

The WAM Chair (or another senior Officer acting in their absence) is the only person who is permitted to authorise disclosure of images to external third parties such as law enforcement agencies.

All requests for disclosure and access to images will be documented, including the date of the disclosure, to whom the images have been provided and the reasons why they are required. If disclosure is denied, the reason will be recorded.

Individuals' access rights

Under the UK's data protection laws, including the General Data Protection Regulation (GDPR), individuals have the right on request to receive a copy of the personal data that the Company holds about them, including CCTV images if they are recognisable from the image.

If an individual wishes to access any CCTV images relating to themselves, they must make a written request to the WAM Secretary. This can be done by using this email address secretary@wamplots.org. The Company will usually not make a charge for such a request, but we may charge a reasonable fee if an individual makes a request which is manifestly unfounded or excessive, or is repetitive. The request must include the date and approximate time when the images were recorded and the location of the particular CCTV camera, so that the images can be easily located and their identity can be established as the person in the images.

WAM will usually respond promptly and in any case within one month of receiving a request. However, where a request is complex or numerous WAM may extend the one month to respond by a further two months.

WAM will always check the identity of the person making the request before processing it.

The WAM Secretary will always determine whether disclosure of images will reveal third party information, as an individual has no right to access CCTV images relating to other people. In this case, the images of third parties may need to be obscured if it would otherwise involve an unfair intrusion into their privacy.

If WAM is unable to comply with a request because access could prejudice the prevention or detection of crime or the apprehension or prosecution of offenders, the individual will be advised accordingly.

Covert recording

WAM is aware that covert recording can only be done in exceptional circumstances for example where WAM suspects criminal activity taking place. On this basis WAM will only undertake covert monitoring if it has carried out a data protection impact assessment which has addressed the following:

- the purpose of the covert recording;
- the necessity and proportionality of the covert recording;
- the risks to the privacy rights of the individual(s) affected by the covert recording;
- the time parameters for conducting the covert recording
- the safeguards and/or security measures that need to be put in place to ensure the covert recording is conducted in accordance with the data protection laws, including the GDPR.

If after undertaking the data impact assessment WAM considers there is a proportionate risk of criminal activity, or equivalent breach of the allotment rules taking place or about to take place, and if informing those individuals in the vicinity that the recording is taking place would seriously prejudice its prevention or detection, WAM will covertly record in the vicinity. In doing this WAM will rely on the protection of its own legitimate interests as the lawful and justifiable legal basis for carrying out the covert recording.

Before the covert recording commences WAM will ensure that the Chair (or another senior officer acting in their absence) agrees with the findings of the data protection assessment and provides written authorisation to proceed with the covert recording.

Covert monitoring may include both video and audio recording.

Covert monitoring will only take place for a limited and reasonable amount of time consistent with the objective of assisting in the prevention and detection of particular suspected criminal activity or equivalent malpractice. Once the specific investigation has been completed, covert monitoring will cease.

Information obtained through covert monitoring will only be used for the prevention or detection of criminal activity or equivalent breach of the allotment rules. All other information collected in the course of covert monitoring will be deleted or destroyed unless it reveals information which WAM cannot reasonably be expected to ignore.

Staff training

WAM will ensure that all Officers handling CCTV images or recordings are trained in the operation and administration of the CCTV system and on the impact of the laws regulating data protection and privacy with regard to that system.

Implementation

WAM Secretary is responsible for the implementation of and compliance with this policy and the operation of the CCTV system and WAM Secretary will conduct a regular review of WAM's use and processing of CCTV images and ensure that at all times it remains compliant with the laws regulating data protection and privacy. Any complaints or enquiries about the operation of WAM's CCTV system should be addressed to WAM Secretary.

Data Protection

WAM will process the personal data collected in connection with the operation of the CCTV policy in accordance with its data protection policy and any internal privacy notices in force at the relevant time. Inappropriate access or disclosure of this data will constitute a data breach and should be reported immediately to the WAM Secretary in accordance with WAM's data protection policy. Reported data breaches will be investigated and may be communicated to the Information Commissioner's Office ICO.