

Privacy Notice for Closed Circuit Television (CCTV)

Introduction

This notice is provided within the context of the changes required by the EU General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This document will therefore be subject to ongoing review to ensure it continues to align with the requirements of all applicable legislation.

Service description and purpose

CCTV is a necessary crime prevention and detection tool, but is a non-statutory requirement for Thanet District Council. The Council collect images via a CCTV secure network across the Thanet district.

To assist in the reduction of crime, antisocial behaviour and to reduce the fear of crime and increase the confidence of the public in areas of CCTV coverage.

Processing activity

We operate CCTV across our town centres, along our coastline and on the outside, inside and in the entrances to some of our buildings. Some of our enforcement officers wear body-worn cameras. The footage we record is used for the prevention and detection of crime and to protect public safety. Where CCTV cameras are operating, there will be signs clearly displayed.

Body-worn camera footage is used for the purposes above and to resolve any complaints against our officers. Body-worn cameras do not record all the time. The officer has to choose to turn it on, and policies are in place to ensure that they will always warn the member of the public when they do so.

Information requirements

Personal details held include live and archived video images where individuals may be identified from following approved/authorised requests for specific access e.g. Police.

Lawful basis for processing your information under GDPR

According to the General Data Protection Regulations (GDPR) and the Data Protection Act 2018, we must have a reason to collect and use your information.

Article 6 Lawfulness of Processing (Section 1, (e)):

Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Under section 163 of the Criminal Justice and Public Order Act 1994.

In order to provide this service, we may need to process some or all of the following categories of personal information:

- CCTV video image (no audio)

Under data protection legislation, we are permitted to use your information this way because we have a statutory duty to protect the public. We also have a legitimate interest in securing our premises and reducing complaints against our staff.

There are a number of legal reasons why we need to collect and use your personal information. For this service:

Public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.

Our service also needs to use sensitive personal data also called “special category data” which requires more protection to keep it safe. This is often information you would not want to be widely known and is very personal to you. It includes:

- Criminal activity - Criminal prosecutions
- We will take extra care of this data. The legal reason for us to collect and use this personal information is:
 - It is necessary for legal cases

Retention Period

In accordance with the Council’s Corporate Retention Schedule, data will be automatically overwritten after 30 days. Footage retained as part of an investigation will be retained until its completion. Footage provided to the law enforcement agencies will be retained by them in accordance with their own retention periods.

Further information

If you have a concern about how we are using your information, we would ask you to contact us in the first instance using the address below:

Head of Operational Services
Enforcement Services
Thanet District Council
PO Box 9
Cecil Street
Margate Kent
CT9 1XZ

Data sharing

Who we may share your information with

We will only share CCTV footage where we are legally obliged to do so, or where we are allowed to do so under exemptions in the Data Protection Act - for example for the prevention or detection of crime.

You have the right to see footage that you appear in, you can make this request using the contact details below.

We use a range of organisations to either store personal information or to help deliver our services to you. Sometimes we have a legal duty to provide your personal information to other organisations, for example the court service or HMRC.

We may also share your personal information with these organisations

- Thanet District Council's Enforcement teams
- Thanet District Council and East Kent Housing teams
- Thanet District Council's and Civica Customer services team
- Kent County Council
- Other District and Unitary Authorities
- Police
- Solicitors and Barristers
- HM Court service
- Enforcement Agents
- Kingdom Group Limited - who issue Fixed Penalty Notices on behalf of the Council

Your information will not be disclosed to any other organisations, except where we are required and allowed to by our CCTV Code of Practice. Please see our website for further information.

Your rights

Accessing the information we hold about you

You have the right to request, in writing, details of the information that is held about you and also the right to access a copy of the information. This may be by the Council providing copies of documents or by inviting you to view the records at one of its offices, if appropriate. Please see our webpage for further information about how to make a subject access request.

Sometimes there may be information that we are not allowed to show you, such as

- legal information or advice
- crime prevention and detection records
- information that we believe may be harmful to you and your well-being

- details about or provided by other people – this is called third party information (for example, information from the Police or Department for Work and Pensions)

You may also ask us to

- stop processing your information if this causes or might cause damage or distress
- stop processing your information for direct marketing
- make decisions about you using your information by automated means (for example, using computers to decide on an entitlement)
- amend any of your data which you feel is inaccurate. You can also ask for information to be blocked, erased or destroyed.
- transfer your information electronically to another service provider.
- consider a claim for compensation for any damages caused by a breach of the Data Protection regulations.
- If you give consent for us to use your information, you may withdraw this at any time. However, this may affect our ability to continue to provide you with a service.

Complaints

If you wish to complain about how we are processing your personal information please contact:

The Data Protection Officer
Thanet District Council
Cecil Street,
Margate
CT9 1XZ

Email: dataprotection@thanet.gov.uk

Tel: 01843 577000

You also have the right to complain to the Information Commissioner's Office, at:

The Information Commissioner,
Wycliffe House, Water Lane, Wilmslow, Cheshire
SK9 5AF.

Phone: 0303 123 1113 or 01625 545745

Website: www.ico.org.uk