



Hilda Whitfield House 9 Tanning Court Warrington WA1 2HF 01925 977630

## CCTV Policy Statement

### 1. Policy Statement

- 1.1 Warrington Foodbank uses Closed Circuit Television (“CCTV”) within our premises, in units 2, 8 and 9 Tanning Court. The purpose of this policy is to set out the position as to the management, operation and use of the CCTV across operated premises.
- 1.2 This policy applies to all members of our workforce (employees and volunteers) and visitors to Warrington Foodbank’s managed premises and their surrounding areas and all other persons whose images may be captured by the CCTV system.
- 1.3 This policy takes account of all applicable legislation and guidance, including:
  - 1.3.1 General Data Protection Regulation (“GDPR”)
  - 1.3.2 Data Protection Act 2018 (together with the Data Protection Legislation)
  - 1.3.3 CCTV Code of Practice produced by the Information Commissioner
  - 1.3.4 Human Rights Act 1998
- 1.4 This policy sets out the organisation’s position in relation to its use of CCTV.

### 2. Purpose of CCTV

- 2.1 We will use CCTV for the following purposes:
  - 2.1.1 To provide a safe and secure environment for staff, volunteers and visitors
  - 2.1.2 To prevent the loss of or damage to buildings and/or assets
  - 2.1.3 To assist in the prevention of crime and assist law enforcement agencies in apprehending offenders

### 3. Description of system

- 3.1 There are a number of fixed cameras. These are sited in and around Unit 2, Unit 8 and Unit 9 Tanning Court.

The cameras are linked back to a data recorder which is located in Unit 2 Tanning Court.



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## **4. Siting of Cameras**

- 4.1 All CCTV cameras will be sited in such a way as to meet the purpose for which the CCTV is operated. Cameras will be sited in prominent positions where they are clearly visible to staff, volunteers and visitors.
- 4.2 Cameras will not be located, so far as possible, in such a way as to record areas that are not intended to be the subject of surveillance. Warrington Foodbank will make all reasonable efforts to ensure that areas outside the permitted purposes are not recorded.
- 4.3 Signs will be erected to inform individuals that they are in an area within which CCTV is in operation.
- 4.4 Cameras will not be sited in any areas where members of staff have an expectation of privacy, such as changing rooms or toilets.
- 4.5 Cameras may be located in communal areas and, where this is the case, visitors and members of staff will be made aware. Access to the footage is restricted and will only be used to fulfil the permitted purposes in 2.1.

## **5. Data Protection Impact Assessment**

- 5.1 Prior to the installation or repositioning of any CCTV camera, or system, a Data Protection Impact Assessment will be conducted to ensure that the proposed installation is compliant with legislation and ICO guidance. The assessment will be approved by the Data Protection Officer and Trustees.
- 5.2 Warrington Foodbank will adopt a privacy by design approach when installing new cameras and systems, taking into account the purpose of each camera so as to avoid recording and storing excessive amounts of personal data.

## **6. Management and Access**

- 6.1 The CCTV system will be managed by the Operations Manager.
- 6.2 Any allegations against employees or volunteers will be referred immediately to the Operations Manager and Trustees and only they will determine who needs to access or view the footage.
- 6.3 On a day-to-day basis the CCTV system will be operated by individuals who have been specifically trained in the operation of the system and are both competent and considered to have the appropriate technical ability.



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- 6.4 The viewing of live CCTV images will be restricted to authorised personnel and others as delegated by the Operations Manager. In doing so they will ensure that the purposes in 2.1 are satisfied.
- 6.5 Recorded images which are stored by the CCTV system will be restricted as in 6.4. Relevant images may be shared with trustees /managers on a need to know basis allowing them to review incidents where disciplinary matters or complaints need to be addressed.
- 6.6 No other individual will have the right to view or access any CCTV images unless in accordance with the terms of this policy as to disclosure of images.
- 6.7 The CCTV system is checked daily to ensure that it is operating effectively.

## **7. Storage and Retention of Images**

- 7.1 Any images recorded by the CCTV system will be retained only for as long as necessary for the purpose for which they were originally recorded.
- 7.2 Recorded images are stored for a maximum of 2 weeks unless there is a specific purpose for which they are retained for a longer period.
- 7.3 Warrington Foodbank will ensure that appropriate security measures are in place to prevent the unlawful or inadvertent disclosure of any recorded images. The measures in place include:
  - 7.3.1 CCTV recording systems being located in restricted access areas;
  - 7.3.2 The CCTV system being encrypted/password protected;
  - 7.3.3 Restriction of the ability to make copies to named authorised roles within the team
- 7.4 A log of any access to the CCTV images, including time and dates of access, and a record of the individual accessing the images, will be maintained by the Operations Manager.

## **8. Disclosure of Images to Data Subjects**

- 8.1 Any individual recorded in any CCTV image is a data subject for the purposes of the Data Protection Legislation and has a right to request access to those images.
- 8.2 Any individual who requests access to images of themselves will be considered to have made a subject access request pursuant to the Data Protection Legislation. Such a request should be considered in the context of Warrington Foodbank's Subject Access Rights Request Policy.



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- 8.3 When such a request is made the appropriate individual with access to the CCTV footage (ref 6.4) will review the CCTV footage, in respect of relevant time periods where appropriate, in accordance with the request.
- 8.4 If the footage contains only the individual making the request, then the individual may be permitted to view the footage. This must be strictly limited to that footage which contains only images of the individual making the request. The individual accessing the footage must take appropriate measures to ensure that the footage is restricted in this way.
- 8.5 If the footage contains images of other individuals, then the Operations Manager must consider whether:
  - 8.5.1 The request requires the disclosure of the images of individuals other than the requester, for example whether the images can be distorted so as not to identify other individuals, or:
  - 8.5.2 The other individuals in the footage have consented to the disclosure of the images, or their consent could be obtained, or:
  - 8.5.3 If not, then whether it is otherwise reasonable in the circumstances to disclose those images to the individual making the request.
- 8.6 A log must be kept, and held securely, of all disclosures (see appendix 1) which sets out:
  - 8.6.1 When the request was made;
  - 8.6.2 The process followed by to the individual with access to the CCTV footage in determining whether the images contained third parties;
  - 8.6.3 The considerations as to whether to allow access to those images;
  - 8.6.4 When the individuals that were permitted viewed the images;
  - 8.6.5 Whether a copy of the images was provided, and if so to whom, when and in what format.

Note that, when a subject access request is made then, unless an exemption applies (such as in relation to third party data that it would be unreasonable to disclose) then the requester is entitled to a copy in a permanent form. There is reference here only to “access” as opposed to a “permanent copy” as in certain circumstances it might be appropriate only to allow access to images by viewing image stills without providing copies of video footage. If an individual agrees to viewing the images, only then does a permanent copy not need to be provided. If a permanent copy is requested, then this should be provided unless it is not possible to do so, or it would involve disproportionate effort (e.g. specialist video editing software).



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## **9. Disclosure of Images to Third Parties**

- 9.1 Warrington Foodbank will only disclose recorded CCTV images to third parties where it is permitted to do so in accordance with the Data Protection Legislation.
- 9.2 CCTV images will only be disclosed to law enforcement agencies in line with the purposes for which the CCTV system is in place.
- 9.3 If a request is received from a law enforcement agency for disclosure of CCTV images, then the individual with access to the CCTV footage must follow the same process as set out in Section 8 above in relation to subject access requests. Details should be obtained from the law enforcement agency as to exactly what they want the CCTV images for, and any individuals of concern, including the timeframe requested. This will then enable proper consideration to be given to what should be disclosed, and the potential disclosure of any third-party images.
- 9.4 The information above must be recorded in relation to any disclosure.
- 9.5 If an order is granted by a Court for disclosure of CCTV images, then this should be complied with. However very careful consideration must be given to exactly what the court order requires. If there are any concerns as to disclosure then the Data Protection Officer/ Trustees should be contacted in the first instance and appropriate legal advice may be required.

## **10. Review of Policy and CCTV System**

- 10.1 This policy will be reviewed every two years or earlier should the need arise.

## **11. Misuse of CCTV systems**

- 11.1 The misuse of the CCTV system could constitute a criminal offence.
- 11.2 Any member of staff who breaches this policy may be subject to disciplinary action.

## **12. Complaints relating to this policy**

- 12.1 Any complaints relating to this policy or to operation of the CCTV system should be made in accordance with the Warrington Foodbank Complaints Policy.



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## Appendix 1 - Data Subject Access Request

### Application for access to digitally recorded footage (SAR Form)

Full name of person making the request	
Address	
Telephone number	
Email address	

Contact details provided will be used to communicate with you in connection with your request.

### Details of CCTV Footage requested

Date of CCTV footage:	
Approximate time of CCTV footage:	Start time: Finish time:
Location of CCTV footage	
Additional details to assist in locating footage required	
Please indicate your preference regarding the footage:  Tick one box only	I would like to come in to view the footage <input type="checkbox"/>
	I would like a copy of the footage <input type="checkbox"/>
<b>Declaration:</b> I declare that the information given by me is correct to the best of my knowledge and that I am entitled to apply for this footage. <i>You are advised that the making of false or misleading statements in order to obtain personal information to which you are not entitled is a criminal offence which could lead to prosecution</i>	
Signed:	Date:

We will notify you if we do not hold information or your request is refused