

CCTV Policy

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1.0 INTRODUCTION

This document sets out the appropriate actions and procedures, which must be followed to comply with the Data Protection Act in respect of the use of CCTV (closed circuit television) surveillance systems managed by the Wiltshire School of Gymnastics.

1.1 In drawing up this policy, due account has been taken of the following:

- ◆ The Data Protection Act 1998
- ◆ The CCTV Code of Practice (Revised edition 2008) produced by the Information Commissioner
- ◆ The Human Rights Act 1998
- ◆ The Regulation of Investigatory Powers Act 2000

1.2 The Data Protection Act 1998 came into force on the 1st March 2000 and contains broader definitions than those of its predecessor (1984) Act and more readily covers the processing of images time legally enforceable standards will apply to the collection and processing of images relating to individuals.

1.3 An important new feature of the legislation is the CCTV Code of Practice which sets out the measures which must be adopted to comply with the Data Protection Act 1998. This goes on to set out guidance for the following of good data protection practice. The Code of Practice has the dual purpose of assisting operators of CCTV systems to understand their legal obligations while also reassuring the public about the safeguards that should be in place.

2.0 SCOPE

This policy will cover all employees of the Wiltshire School of Gymnastics, coaches at the club (voluntary or paid), gymnasts, volunteers, visitors and all other persons whose image(s) may be captured by the system.

3.0 DEFINITIONS

3.1 Prior to considering compliance with the principles of the Data Protection Act, a user of CCTV or similar surveillance equipment, will need to determine two issues:

3.1.1 **The type of personal data being processed**, i.e. is there any personal data which falls within the definition of sensitive personal data as defined by Section 2 of the Act;

‘Sensitive personal data’ includes:

- Gender;
- Ethnic origin or race;
- Political opinion;
- Religious beliefs;
- Trade Union membership;
- Health – mental or physical;
- Sexual life;
- Commission of any offence (or alleged);
- Any court proceedings or findings;

3.1.2 **The purpose(s)** for which both personal and sensitive personal data is being processed. The data must be:

- Fairly and lawfully processed;
- Processed for limited purposes and not in any
- Adequate, relevant and not excessive;
- Accurate;
- Not kept for longer than is necessary
- Processed in accordance with individual's rights;
- Secure;
- Not transferred to countries without adequate protection;

3.2 The Information Commissioner will take into account the extent to which users of CCTV and similar surveillance equipment have complied with this Code of Practice when determining whether they have met their legal obligations when exercising their powers of enforcement.

4.0 POLICY APPLICATION

4.1 Initial Assessment Procedures

4.1.1 The Trustees of the Wiltshire School of Gymnastics have the legal responsibility for the Wiltshire School of Gymnastics CCTV systems, however the Operations Manager has responsibility for the day-to-day compliance with the requirements of the CCTV Code of Practice.

4.1.2 The purpose of the WSG CCTV scheme is for the:

- Protection of the Wiltshire School of Gymnastics property and assets.
- Prevention or detection of crime or disorder;
- Apprehension and prosecution of offenders (including use of images as evidence in criminal proceedings);
- Interest of public and employee Health and Safety;
- Protection of public health;

4.1.3 Prior to any camera installation the Club Manager will ensure that the installation complies with the Data Protection Act and CCTV code of Practice.

4.2 Siting the Cameras

4.2.1 It is essential that the location of the equipment be carefully considered, because the way in which images are captured will need to comply with the Data Protection Act 1998.

4.2.2 All cameras are located in prominent positions within public and staff view and do not infringe gymnasium areas. All CCTV surveillance is automatically recorded and any breach of these Codes of Practice will be detected via controlled access to the system and auditing of the system.

The cameras are located internally facing the main entrance door, reception area, in the upstairs café area, the main gym floor, the main gym side door and the Bayley Building.

4.2.3 Signs have been erected on the building entrance and throughout the facility to ensure staff, gymnasts and visitors are aware they are entering an area that is covered by CCTV surveillance equipment.

4.3 Quality of the Images

- 4.3.1 It is important that the images produced by the equipment are as clear as possible in order that they are effective for the purpose(s) for which they are intended. This is why it is essential that the purpose of the scheme be clearly identified. For example if a system has been installed to prevent and detect crime, then it is essential that the images are adequate for that purpose.
- 4.3.2 Upon installation all equipment is tested to ensure that only the designated areas are monitored and high quality pictures are available in live and play back mode.
- 4.3.3 The system has 6 cameras, recording to digital recording media. These cameras are currently monitored at the Operation Managers desk in the dedicated office.

4.4 Processing the images

- 4.4.1 Images, which are not required for the purpose(s) for which the equipment is being used, should not be retained for longer than is necessary. While images are retained, it is essential that their integrity be maintained, whether it is to ensure their evidential value or to protect the rights of people whose images may have been recorded. It is therefore important that access to and security of the images is controlled in accordance with the requirements of the Data Protection Act 1998.
- 4.4.2 All images are digitally recorded and stored securely within the systems hard drives. The cameras include night vision capability and record images over a 24 hour period.
- 4.4.3 Where the images are required for evidential purposes in legal or Club disciplinary proceedings, a recording is made and placed in a sealed envelope signed and dated and held by the Operations Manager until completion of the investigation. The viewing of images within the OM office is controlled by the Operations Manager or a person nominated to act on their behalf. Only persons trained in the use of the equipment and authorised by the Operations Manager can access data.

4.5 Access to and disclosure of images to third parties

- 4.5.1 It is important that access to, and disclosure of, the images recorded by CCTV and similar surveillance equipment is restricted and carefully controlled. This will ensure that the rights of individuals are preserved, but also to ensure that the continuity of evidence remains intact should the images be required for evidential purposes e.g. a Police enquiry or an investigation being under taken as part of the Club's disciplinary procedure.
- 4.5.2 Access to the medium on which the images are displayed and recorded is restricted to Management staff and third parties as detailed in the purpose of the scheme.
- 4.5.3 Access and disclosure to images is permitted only if it supports the purpose of the scheme. Under these conditions the CCTV images record book and the appropriate view / release form (Appendix 1) must be completed.

4.6 Access to images by individuals

- 4.6.1 Section 7 of the Data Protection Act 1998 gives any individual the right to request access to CCTV images.

- 4.6.2 Individuals who request access to images must be issued an access request form (appendix 1). Upon receipt of the completed form, the Operations Manager and the Trustee's of the Wiltshire School of Gymnastics will determine whether disclosure is appropriate and whether there is a duty of care to protect the images of any third parties. If the duty of care cannot be discharged then the request can be refused.
- 4.6.2 A written response will be made to the individual, giving the decision (and if the request has been refused, giving reasons) within 21 days of receipt of the enquiry. If disclosure is appropriate a payment in advance of £10.00 will be required.

5.0 RESPONSIBILITIES

- 5.1 The Club Trustees have a responsibility for the implementation of this policy, monitoring its effectiveness and ensuring the CCTV Code of Practice is available on the Club's website www.wiltshiregymnastics.co.uk or from the Operations Manager.
- 5.2 The Operations Manager is also personally accountable for ensuring that the policy and Code of Practice are adhered to and monitored.

6.0 ENFORCEMENT

The information Commissioner has the power to issue Enforcement Notices where they considers there has been a breach of one or more of the Data Protection Principles. An Enforcement Notice would set out the remedial action that the Commissioner requires of the Club to ensure future compliance with the requirements of the Act.

7.0 DOCUMENTATION

Copies of all documentation and records relating to the CCTV system will be held within the Operation Manager's office and will be kept under restricted confidentiality, for a period of 6 years.

8.0 REVIEW

This policy will be reviewed every two years, or earlier in the light of changing circumstances.

APPENDIX



ACCESS TO VIEW OR COPY IMAGES - POLICE

Name of the person making this request: _____

Organisation & Address: _____

Telephone: _____ Email: _____

DETAILS OF IMAGE TO BE VIEWED

Date: _____

Reason (police only): _____

Signed: _____ Date: _____

Request Granted

Request Denied / Reason: _____

TO BE COMPLETED IF IMAGES ARE REMOVED

Reference No.: _____ Issued to: _____

Crime No.: _____ Date Issued: _____

Issued By: _____ Return Date: _____

I ACKNOWLEDGE RECEIPT OF THE ABOVE RECORDING

Signed: _____ Date: _____

APPENDIX



APPLICATION FORM FOR ACCESS TO CCTV IMAGES UNDER THE DATA PROTECTION ACT 1998

The Wiltshire School of Gymnastics uses closer circuit television (CCTV) systems for the purposes of crime prevention, the prosecution of offenders and public safety. The Data Protection Act 1998 gives you the statutory right of access to the CCTV images we process about you. Please complete this form if you wish to access a CCTV image. If you require assistance please contact the Operations Manager (details listed below).

The Wiltshire School of Gymnastics
Lysander Road
Bowerhill
Melksham
Wiltshire
SN12 6SP

FEES PAYABLE

Please enclose a fee of £10 with your completed application form (cheque payable to Wiltshire Gymnastics)

TIMESCALE

On receipt of your completed form and fee, we will respond to your request promptly, and in no more than 30 days. If we encounter any difficulties in locating your image(s) we will keep you informed of our progress.

SUBMISSION OF FORM

Please return this form to the Operations Manager at the above address.

NOTES TO ASSIST IN COMPLETION OF THE FORM

LOCATION (Note 1)

Provide details of the camera location, and the date and time of the image(s) you would like to see, as well as a general description of your appearance, clothing etc at the time in question.

DECLARATION (Note 2)

The person making the application must complete this section.

- a) If you are the data subject - tick the first box and sign the authorisation then proceed to Section 6
- b) If you are completing this application on behalf of another person, in most instances, we will require their authorisation before we can release the data to you. The data subject whose information is being requested should be asked to complete the 'Authorisation' section of the form. (Section 5)
- c) If the data subject is a child i.e. under 16 years of age the application may be made by someone with parental responsibilities, in most cases this means a parent or guardian. If the child is capable of understanding the nature of the application his/her consent should be obtained or alternatively the child may submit an application on their own behalf. Generally children will be presumed to understand the nature of the application if aged between 12 and 16. However, all cases will be considered individually.

APPLICANT (Note 3)

The applicant is the person who is applying on behalf of the data subject to get access to the CCTV image(s).

COUNTERSIGNATURE (Note 4)

Because of the confidential nature of data held by the Wiltshire School of Gymnastics it is essential for us to obtain proof of your identity and your right to receive CCTV image(s). For this purpose it is essential that your application should be countersigned by any one of the following: a Member of Parliament, Justice of the Peace, Minister of Religion, a professionally qualified person (for example, Doctor, Lawyer, Engineer, Teacher), Bank Officer, Established Civil Servant, Police Officer or a person of similar standing WHO HAS KNOWN YOU PERSONALLY. **A relative should not countersign.** The responsibility of the Trusts' Data Protection Officer includes a check to confirm that the countersignature is genuine. In certain cases you may be asked to produce further documentary evidence of identity.

The person who countersigns your application is only required to confirm your identity and witness you signing the 'Declaration' There is no requirement for this person to either see the contents of the rest of the form or to give any assurance that the other particulars supplied are correct.

**APPLICATION FORM FOR ACCESS TO CCTV IMAGES
UNDER THE DATA PROTECTION ACT 1998**

You are advised that the making of false or misleading statements in order to obtain access to personal information to which you are not entitled is a criminal offence.

SECTION 1: Data Subject Details (please supply a photo to aid identification)

Full Name: _____ Gender: _____ Date of Birth: _____

Address: _____

Telephone: _____ Email: _____

SECTION 2: Location (note 1)

Date & Approximate Time: _____ Area: _____

Description: _____

SECTION 3: Declaration Statement (note 2)

This section must be signed in the presence of the person who certifies your application. I declare that the information in this form is correct to the best of my knowledge and that I am entitled to apply for access to personal data referred to above under the terms of the Data Protection Act 1998.

Please tick the appropriate box:

I am the person named (go to section 6)

Signature of Data Subject: _____ Date: _____

or

- I am the agent for the person named and I have completed the authorisation Section.
- I am the parent/guardian of the person who is under 16 years old and has completed the authorisation section.
- I am the parent/guardian of the person who is under 16 years old and who is unable to understand the request (go to section 6)
- I have been appointed by the Court to manage the affairs of the person (go to section 6)

SECTION 5: Authorisation Statement

I hereby authorise the Wiltshire School of Gymnastics to release CCTV images they may hold relating to me (enter the name of the person acting on your behalf)

Signature of Data Subject: _____ Date: _____

SECTION 6: Countersignature (note 4)

To be completed by the person required to confirm the applicant's identity.

I (insert full name) _____ certify that the applicant (insert name) has been known to me as a (insert capacity eg. employee, client, patient etc.) _____ for ____ years and that I have witnessed the signing of the above declaration.

Name (please print): _____ Profession: _____

Address: _____

Telephone: _____ Email: _____

Signature: _____ Date: _____

OFFICE USE ONLY

Date Request Received: _____ Amount Paid: _____

Date Form Sent to Applicant: _____ Method of Payment: _____

Date Form Returned: _____ Date Sent to Administrator: _____

Certification Checked: _____ Data Checked: _____

Date Completed: _____