

Smarti-Ludlow	
CCTV Policy and Privacy Impact Assessment	
Date: 18/05/2018	
Information Type: CCTV	

1. Policy Statement

1.1 Smarti-Ludlow uses Close Circuit Television (“CCTV”) within its retail premises. The purpose of this policy is to set out the management, operation and use of the CCTV at Smarti-Ludlow.

1.2 This policy applies to all staff and visitors whose images may be captured by the CCTV system.

1.3 This policy takes account of all applicable legislation and guidance, including:

- General Data Protection Regulation (“GDPR”)
- Data Protection Act 2018 (together the Data Protection Legislation)
- CCTV Code of Practice produced by the ICO
- Human Rights Act 1998

1.4 This policy sets out the position of Smarti-Ludlow in relation to its use of CCTV.

2. Purpose of CCTV

2.1 Smarti-Ludlow uses CCTV for the following purposes:

- To provide a safe and secure environment for staff and visitors
- To prevent the loss, damage or theft of Smarti-Ludlow’s assets and/or stock
- To assist in the prevention of crime and assist law enforcement agencies in apprehending offenders

3. Description of the system

3.1 Smarti-Ludlow has two cameras inside its retail premises. These cameras are fixed and have no sound recording capabilities.

4. Siting of the Cameras

4.1 All CCTV cameras are sited in such a way as to meet the purpose for which the CCTV is operated.

4.2 Cameras will not be sited in such a way as to record areas that are not intended to be the subject of surveillance.

Smarti-Ludlow will make all reasonable efforts to ensure that areas outside of the retail premises are not recorded.

4.3 Signs will be displayed to inform individuals that they are in an area within which CCTV is in operation.

4.4 Cameras will not be sited in areas where individual have a heightened expectation of privacy, such as changing rooms or toilets.

4.5 Access to the footage is restricted and will only be used to fulfil the purposes set out in 2.1.

5. Privacy Impact Assessment

5.1 Prior to the installation of any CCTV camera, or system, a privacy impact assessment will be conducted by Smarti-Ludlow to ensure that the proposed installation is compliant with legislation and ICO guidance.

5.2 Smarti-Ludlow will adopt a privacy by design approach when installing 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 only be accessed authorised staff.

6.2 Any reports of incidents (covered by 2.1) shall be reported immediately to the manager who will determine if CCTV footage needs to be viewed.

6.3 The CCTV system will be operated by an individual with appropriate technical ability and who is authorised to do so by the manager.

6.4 The viewing of live CCTV images will be restricted to authorised personnel only

6.5 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.

6.6 The CCTV system will be checked regularly 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 only for a period of 7 days unless there is a specific purpose for which they are retained for a longer period.

7.3 Smarti-Ludlow will ensure that appropriate security measures are in place to prevent the unlawful or inadvertent disclosure of any recorded images or changes to the system, including the repositioning of cameras.

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.

8. The 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 Smarti-Ludlow's Subject Access Request Policy.

8.3 When such a request is made the Manager 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 will be strictly limited to that footage which contains only images of the

individual making the request. Appropriate measures will be taken to ensure that the footage is restricted in this way.

8.5 If the footage contains images of other individuals then the Smarti-Ludlow will consider whether:

- 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;
- The other individuals in the footage have consented to the disclosure of the images, or their consent could be obtained; or
- If not, then whether it is otherwise reasonable in the circumstances to disclose those images to the individual making the request.

8.6 A record will be kept, and held securely, of all disclosures which sets out:

- When the request was made
- The process followed by Smarti-Ludlow in determining whether the images contained third parties
- The considerations as to whether to allow access to those images
- The individuals that were permitted to view the images and when; and
- Whether a copy of the images was provided, and if so to whom, when and in what format.

9. The Disclosure of Images to Third Parties

9.1 Smarti-Ludlow 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 Smarti-Ludlow will follow the same process as above in relation to subject access requests.

Detail should be obtained from the law enforcement agency as to exactly what they want the CCTV images for, and any particular individual/s of concern. 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 should be contacted in the first instance and appropriate legal advice may be required.

10. The review of The CCTV Policy and Privacy Impact Assessment (PIA)

10.1 This policy will be reviewed bi-annually or earlier should the need arise.

11. The Misuse of CCTV systems

11.1 The misuse of 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 the CCTV system operated by Smarti-Ludlow should be made to the owner of Smarti-Ludlow.

CCTV PRIVACY IMPACT ASSESSMENT (PIA)

1. Who will be captured on CCTV?

Employees and visitors to Smarti-Ludlow.

2. What personal data will be processed?

Facial Images.

3. What are the purposes for operating the CCTV system?

The Prevention and/or the detection of crime and the safety and security of staff and visitors to Smarti-Ludlow.

4. What is the lawful basis for operating the CCTV system?

Legitimate interests of Smarti-Ludlow to maintain health and safety and to help prevent and/or investigate crime.

5. Who is/are the named person(s) responsible for the operation of the system?

Samantha Hine.

6. Describe the CCTV system, including:

Two CCTV cameras have been situated within the shop facing the public access areas and away from sensitive areas such as changing rooms and toilets.

The cameras are of sufficient quality to provide distinguishable images for law enforcement the purpose.

Signage notifying individuals that CCTV is in operation are located within the premises.

7. Set out the details of any sharing with third parties, including processors.

The system and data is held on site and no third parties have access to the data.

8. Set out the retention period of any recordings, including why those periods

The retention period for images is 7 days.

9. Set out the security measures in place to ensure that recordings are captured and stored securely

Recorded equipment is kept staff side of the counter, away from public access and password protected.

10 What are the risks to the rights and freedoms of individuals who may be captured on the CCTV recordings?

The risks to individuals are that images will be recorded without proper consent, shared inappropriately or retained for longer than is required.

The Smarti-Ludlow CCTV policy sets out rule to ensure that these risks are mitigated and/or accepted, including minimising the amount of data that is retained, restricting access to prevent unlawful access and having clear guidelines and processes in place to ensure data is only shared when appropriate to do so.

11 What measures are in place to address the risks identified?

The policy above sets out measures in place to address these risks.

12 When will this privacy impact assessment be reviewed?

The next review date is no later than 18/05/2020.

13. Approval:

This assessment was approved by the Data Protection Officer:

Samantha Hine.

END

Revised 16/11/2018