

Wychavon District Council

CCTV Scheme

The Data Protection Act 1998

This document contains advice and information regarding data recorded by the CCTV system and how to gain access to that data.

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Queen Elizabeth Drive
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Introduction

This document explains how you can find out what information, if any, is held about you on Wychavon District Council's Closed Circuit Television (CCTV) system.

If there is anything you do not understand or would like explained, please call, write or e-mail the CCTV Manager. Contact details are at the end of this document.

What is the Data Protection Act 1998?

It is designed to protect personal information about living individuals, no matter how it is processed, what it is processed for or who processes it. It sets rules and conditions which any person or organisation who handles personal data must comply with when obtaining and using information about you.

What is personal data?

It is information about a living individual from which that person can be identified. That information can be in a variety of formats including CCTV images.

Why are CCTV images recorded?

Full details of the principles and criteria under which the system operates can be found in the Wychavon CCTV Code of Practice. This can be viewed or downloaded from our website www.wychavon.gov.uk and follow the links for CCTV. Copies are also available free of charge on request from the CCTV Manager, or it may be viewed at the Council shops in Droitwich, Evesham and Pershore and at Public Libraries in the Council area.

What types of images are recorded and retained?

The CCTV system operates 24 hours per day, every day of the year. All cameras are continuously recorded in a time lapse mode. Images from selected cameras will be recorded in real time at the discretion of the CCTV operators or as directed by the CCTV Manager.

All recordings are retained for a minimum of 28 days. If no legitimate requests for retention of the recording has been made it is then erased. All requests for retention of recordings are considered against the provisions of the Data Protection Act, Human Rights Act and the Code of Practice.

The storage, processing and use of the recorded data obtained by the CCTV system is guided by general principles that can also be found in the Council's CCTV Code of Practice.

Who will we normally disclose this information to?

Disclosure of data obtained by the CCTV System will only be permitted in accordance with the relevant legislation and the criteria contained within the Code of Practice.

In every case a written application in an approved format, clearly showing the reasons for the request is required.

Can I find out if my image has been recorded on the Council's CCTV?

Yes. As an individual you have the right to be:

- told whether we are processing information about you
- provided with a description of the data, why we are processing it and the sorts of people or organisations we might disclose the information to
- provided with a copy of the data in an intelligible and permanent form, where possible and provided that it does not involve disproportionate effort
- told where the information was obtained from

How can I see my image?

You must write to us, the address for which is at the end of this document, asking to see your image. In your request you will also need to provide us with

- your name and address
- the date the image was taken with the time if known
- some personal descriptions
- a recent full face photograph
- official documentation confirming your name, date of birth and current address
- any other relevant information which will enable us to locate the image

To make this easier, a Subject Access Request form (CCTV) is available from the CCTV Manager or from our website, and help is available to complete it should you need it.

You do not have to use the form but all requests must be in writing, although the use of email is permitted. If you do make a request via e-mail then you must include the information as requested on the Subject Access Request form. You cannot request information verbally.

Is there a charge?

Yes. We charge £10, which is the maximum allowed by law. Cheques should be made payable to 'Wychavon District Council'. If you have made your request via e-mail then the payment must be sent separately to the Council clearly identifying what it relates to. Your application will not be processed until the fee has been paid.

How long will it take?

The law says that we must supply the information within 40 days of receiving sufficient details to enable us to locate the information. This includes the payment of the £10 fee and satisfactory evidence regarding the identity of the person making the request.

Failure to supply any of this may delay the request. However, we will acknowledge your request within 7 days of receipt.

Do I need to provide identification?

Yes. To ensure that we only supply information to those who are entitled to receive it, we ask that you provide two forms of identification. For example a birth certificate, driving licence, passport, medical card or other official document showing your name and address. If original documents have been provided, they will be returned to you as soon as possible. If you make a request by e-mail you will need to provide identification separately.

Can I always obtain information about myself?

Not always. The Act has a number of exemptions. The main exemptions in relation to information held on CCTV are where the information may be held for prevention and detection of crime or the apprehension and prosecution of offenders and the disclosures of this information would be likely to prejudice these purposes. If you make a Subject Access Request and we consider that the information concerned is exempt from any provision of the Act, we will inform you accordingly.

Can I ask somebody to make the request for me?

Yes, but you will need to give them authority to do so. If there is no-one who can help you, let the CCTV Manager or the Data Protection Officer know and we can make arrangements for somebody to assist you if necessary.

What will I receive?

You have a right to receive a copy of the information in a permanent form except where the supply of such a copy is not possible or would involve disproportionate effort, or if you agree otherwise. You will only be able to see your own image unless the other people in the picture cannot be identified. The law requires us to obscure the faces of any identifiable third parties.

What do I do if I am not satisfied with the results?

If you think that you have not been given all of the information you asked for, please contact us first so that we can verify our understanding of your request. If you are still not happy, you can make a formal complaint to the Council or you can appeal to the Information Commissioner.

Can I claim compensation?

If Wychavon District Council has broken any of the rules or conditions established by the Act and you have suffered substantial damage or distress you may be able to claim compensation. Claims are made through the court which will only support these if you can show that we have not taken reasonable care to ensure we complied with the Act and in the case of the use of inaccurate data, it is satisfied that you have suffered damage as a result of our use of such data.

Contact Details

To contact us, please write, email or telephone:

Wychavon District Council
Civic Centre
Queen Elizabeth Drive
Persnore
Worcestershire
WR10 1PT

Tel: 01386 565000

Data Protection Officer is Mrs Meesha Patel
Tel 01386 565476
Email: meesha.patel@wychavon.gov.uk

Further information or advice on the Data Protection Act, including a copy of the Commissioner's Code of Practice for CCTV, can be obtained from:-

The Office of the Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel 08456 30 60 60 or 01625 54 57 45

Web site www.ico.gov.uk