

LEATHERHEAD & DORKING GYMNASTICS CLUB



CLOSED CIRCUIT TELEVISION POLICY (CCTV)

2023

LEATHERHEAD & DORKING GYMNASTICS CLUB

CCTV POLICY

Contents

1.	About this policy	3
2.	Who does this policy apply to?	3
3.	Who is responsible for this policy?	3
4.	Definitions	4
5.	Reasons for the use of CCTV	5
6.	Monitoring	5
7.	How we will operate any CCTV	6
8.	Use of data gathered by CCTV	6
9.	Retention and erasure of data gathered by CCTV	7
10.	Use of additional surveillance systems	7
11.	Covert monitoring	8
12.	Requests for disclosure	9
13.	Subject access requests	9
14.	Implementation and Complaints	10
15.	Requests to prevent processing	10
16.	Data Protection.....	10

1. About this policy

- 1.1 We use CCTV cameras to view and record individuals on and around our premises in order to maintain a safe environment for staff and visitors. However, we recognise that the images of individuals recorded by CCTV cameras are personal data which must be processed in accordance with data protection legislation.
- 1.2 The purpose of this policy is to:
- (a) outline why and how we will use CCTV, and how we will process data recorded by CCTV cameras;
 - (b) ensure that the legal rights of Data Subjects, relating to their personal data, are recognised and respected;
 - (c) to assist staff in complying with their own legal obligations when working with personal data. In certain circumstances, misuse of information generated by CCTV or other surveillance systems could constitute a criminal offence; and
 - (d) explain how to make a subject access request in respect of personal data created by CCTV.
- 1.3 This policy has been agreed following consultation with the Leatherhead & Dorking Gymnastics Club Committee.
- 1.4 This policy does not form part of any contract of employment or other contract to provide services, and we may amend it at any time (subject to agreement with the Leatherhead & Dorking Gymnastics Club Committee).
- 1.5 A breach of this policy may, in appropriate circumstances, be treated as a disciplinary matter. Following investigation, a breach of this policy may be regarded as misconduct leading to disciplinary action, up to and including dismissal.

2. Who does this policy apply to?

- 2.1 This policy applies to all employees, officers, consultants, self-employed contractors, casual workers, agency workers, volunteers and interns. It also applies to anyone visiting our premises including gymnasts and parents.

3. Who is responsible for this policy?

- 3.1 The Leatherhead & Dorking Gymnastics Club Committee has delegated responsibility for overseeing its implementation to the Data Protection Officer (DPO). Suggestions for changes to this policy should be reported to the DPO.
- 3.2 Any questions you may have about the day-to-day application of this policy should be referred to your line manager or the DPO in the first instance.
- 3.3 This policy is reviewed annually by the DPO in consultation with the Leatherhead & Dorking Gymnastics Club Committee. We will also review the ongoing use of existing

CCTV cameras in the workplace at least every 12 months to ensure that their use remains necessary and appropriate, and that any surveillance system is continuing to address the needs that justified its introduction.

4. Definitions

4.1 For the purposes of this policy, the following terms have the following meanings:

CCTV : means fixed and domed cameras designed to capture and record images of individuals and property.

Controllers: are the people who, or organisations which, determine the manner in which any personal data is processed. They are responsible for establishing practices and policies to ensure compliance with the law. We are the controller of all personal data used in our business for our own commercial purposes.

Data: is information which is stored electronically, or in certain paper-based filing systems. In respect of CCTV, this generally means video images. It may also include static pictures such as printed screen shots.

Data subjects: means all living individuals about whom we hold personal information as a result of the operation of our CCTV (or other surveillance systems).

Data users: are those of our employees whose work involves processing personal data. This will include those whose duties are to operate CCTV cameras and other surveillance systems to record, monitor, store, retrieve and delete images. Data users must protect the data they handle in accordance with this policy and our Data Protection Policy.

Personal data: means data relating to a living individual who can be identified from that data (or other data in our possession). This will include video images of identifiable individuals.

Processing: is any activity which involves the use of data. It includes obtaining, recording or holding data, or carrying out any operation on the data including organising, amending, retrieving, using, disclosing or destroying it. Processing also includes transferring personal data to third parties.

Processors: are any person or organisation that is not a data user (or other employee of a controller) that processes data on our behalf and in accordance with our instructions (for example, a supplier which handles data on our behalf).

Surveillance systems: means any devices or systems designed to monitor or record images of individuals or information relating to individuals. The term includes CCTV systems as well as any technology that may be introduced in the future such as automatic number plate recognition (ANPR), body worn cameras, unmanned aerial systems and any other systems that capture information of identifiable individuals or information relating to identifiable individuals.

5. Reasons for the use of CCTV

We currently use CCTV around the club as outlined below in 6.2

We believe that such use is necessary for legitimate business purposes, including:

- (a) to prevent crime and protect buildings and assets from damage, disruption, vandalism and other crime;
- (b) for the personal safety of staff, visitors and other members of the public and to act as a deterrent against crime;
- (c) to support law enforcement bodies in the prevention, detection and prosecution of crime;
- (d) to assist in day-to-day management, including ensuring the health and safety of staff and others;
- (e) to assist in the effective resolution of disputes which arise in the course of disciplinary or grievance proceedings;
- (f) to identify unauthorised actions or unsafe working practices that might result in disciplinary proceedings being instituted against employees and to assist in providing relevant evidence;
- (g) Promoting productivity and efficiency;
- (h) To allow parents to be able to view their child participating.
- (i) to assist in the defence of any civil litigation, including employment tribunal proceedings;

This list is not exhaustive and other purposes may be or become relevant.

6. Monitoring

- 6.1 CCTV monitors the exterior of the building and the main entrance and secondary exits are on 24 hours a day and this data is continuously recorded.

The CCTV system will be registered with the Information Commissioner under the terms of the Data Protection Act 2018 and will seek to comply with the requirements both of the Data Protection Act and Commissioner's Code of Practice.

The Club will treat the system and all information, documents and recordings obtained and used, as data which are protected by the Data Protection Act.

The system installed is compliant with the Data Protection Act, Human Rights and Regulatory Investigation Powers Act.

- 6.2 Camera locations are chosen to minimise viewing of spaces that are not relevant to the legitimate purpose of the monitoring. CCTV cameras will not focus on private homes, gardens or other areas of private property. Cameras will be used to monitor

activities within the Club and its surrounding pathways to identify criminal activity actually occurring, anticipated, or perceived, and for the purpose of securing the safety and wellbeing of the Club and its staff, members and visitors.

The cameras have been positioned so that they only cover communal or public areas at the Club and they have been sited to focus on the Club buildings, grounds and around entrances/exits, so that they provide clear images. No camera focuses, or will focus, on toilets, changing rooms, staff kitchen or break/meeting rooms.

- 6.3 Data secured as a result of CCTV will not be used for any commercial purpose. Information transferred to CD/DVD (or other appropriate media) will only be used for the investigation of a specific crime or incident. Release to the media would only be allowed with the written authority of the Police if this was part of a police investigation.
- 6.4 Surveillance systems will not be used to record sound.
- 6.5 Images maybe monitored by authorised personnel 24 hours a day, every day of the year. Images from inside the gymnasiums will be streamed live onto the TV screen in the reception area for parents to watch their child's class.
- 6.6 Staff using surveillance systems will be given appropriate training to ensure they understand and observe the legal requirements related to the processing of relevant data.

7. How we will operate any CCTV

- 7.1 Where CCTV cameras are placed in the workplace, we will ensure that signs are displayed at the entrance of the surveillance zone to alert employees, clients, customers and other visitors are aware they are entering an area covered by CCTV and that their image may be recorded.
- 7.2 We will ensure that live feeds from cameras and recorded images are only reviewed by approved members of staff whose role requires them to have access to such data. This may include HR or Welfare Officers staff involved with disciplinary or grievance matters. Recorded images will only be viewed in designated, secure offices.
- 7.3 The live streaming onto the TV screen in the reception area for parents to watch their child's class is to allow an open gym environment for parents and gymnasts. Parents are **not** permitted to record the TV screen that streams the gymnasiums in reception.

8. Use of data gathered by CCTV

- 8.1 In order to ensure that the rights of individuals recorded by the CCTV system are protected, we will ensure that data gathered from CCTV cameras is stored in a way that maintains its integrity and security. This may include encrypting the data, where it is possible to do so.

- 8.2 Given the large amount of data generated by surveillance systems, we may store video footage using a cloud computing system. We will take all reasonable steps to ensure that any cloud service provider maintains the security of our information, in accordance with industry standards.
- 8.3 We may engage data processors to process data on our behalf. We will ensure reasonable contractual safeguards are in place to protect the security and integrity of the data.
- 8.4 Maintenance checks of the equipment are undertaken on a regular basis to ensure it is working properly and that the media is producing high quality images.

9. Retention and erasure of data gathered by CCTV

- 9.1 As the recording system records digital images, any CCTV images that are held on the hard drive of a PC or server are deleted and overwritten on a recycling basis and, in any event are not held for more than a 3 month period, unless required. Once the hard drive has reached the end of its use it will be erased prior to disposal.
- 9.2 At the end of their useful life, all images stored in whatever format will be erased permanently and securely. Any physical matter such as tapes or discs will be disposed of as confidential waste. Any still photographs and hard copy prints will be disposed of as confidential waste.

10. Use of additional surveillance systems

- 10.1 Prior to introducing any new surveillance system, including placing a new CCTV camera in any workplace location, we will carefully consider if they are appropriate by carrying out a Data Protection Impact Assessment (**DPIA**).
- 10.2 A DPIA is intended to assist us in deciding whether new surveillance cameras are necessary and proportionate in the circumstances and whether they should be used at all or whether any limitations should be placed on their use.
- 10.3 Any DPIA will consider the nature of the problem that we are seeking to address at that time and whether the surveillance camera is likely to be an effective solution, or whether a better solution exists. In particular, we will consider the effect a surveillance camera will have on individuals and therefore whether its use is a proportionate response to the problem identified.

11. Covert monitoring

- 11.1 The Club is aware that covert recording can only be done in exceptional circumstances for example where the Club suspects criminal activity taking place. On this basis the Club will only undertake covert monitoring if it has carried out a data protection impact assessment which has addressed the following:
- the purpose of the covert recording.
 - the necessity and proportionality of the covert recording;
 - the risks to the privacy rights of the individual(s) affected by the covert recording;
 - the time parameters for conducting the covert recording
 - The safeguards and/or security measures that need to be put in place to ensure the covert recording is conducted in accordance with the data protection laws, including the GDPR.
- 11.2 If after undertaking the data impact assessment the Club considers there is a proportionate risk of criminal activity, or equivalent malpractice taking place or about to take place, and if informing the individuals concerned that the recording is taking place would seriously prejudice its prevention or detection, the Club will covertly record the suspected individual(s). In doing this the Club will rely on the protection of its own legitimate interests as the lawful and justifiable legal basis for carrying out the covert recording.
- 11.3 Before the covert recording commences the Club will ensure that the Operations Director (or another senior employee acting in their absence) agrees with the findings of the data protection assessment and provides written authorisation to proceed with the covert recording.
Covert monitoring may include both video and audio recording.
- 11.4 Covert monitoring will only take place for a limited and reasonable amount of time consistent with the objective of assisting in the prevention and detection of particular suspected criminal activity or equivalent malpractice. Once the specific investigation has been completed, covert monitoring will cease.
- 11.5 Information obtained through covert monitoring will only be used for the prevention or detection of criminal activity or equivalent malpractice. All other information collected in the course of covert monitoring will be deleted or destroyed unless it reveals information which the Company cannot reasonably be expected to ignore.

12. Requests for disclosure

- 12.1 Access to, and disclosure of images recorded on CCTV is restricted. This ensures that the rights of individuals are retained. Images can only be disclosed in accordance with the purpose for which they were originally collected.
- 12.2 Disclosure of images to other third parties will only be made in accordance with the purpose for which the system is used and will be limited to:
- The police and other law enforcement agencies, where the images recorded could assist in the prevention or detection of a crime or the identification and prosecution of an offender or the identification of a victim or witness.
 - Prosecution agencies, such as the Crown Prosecution Service
 - Relevant legal representatives
 - Line manager's or Welfare Officers involved with Company disciplinary and performance management processes.
 - Individuals whose images have been recorded and retained (unless disclosure would prejudice the prevention or detection of crime or the apprehension or prosecution of offenders).
- 12.3 The Club's data controller (or another senior employee acting in their absence) is the only person who is permitted to authorise disclosure of images to external third parties such as law enforcement agencies.
- 12.4 All requests for disclosure and access to images will be documented, including the date of the disclosure, to whom the images have been provided and the reasons why they are required. If disclosure is denied, the reason will be recorded.
- 12.5 No images from CCTV will ever be posted online or disclosed to the media.

13. Subject access requests

- 13.1 Under the UK's data protection laws, including the General Data Protection Regulation (GDPR), individuals have the right on request to receive a copy of the personal data that the Club holds about them, including CCTV images if they are recognisable from the image.
- 13.2 If you wish to access any CCTV images relating to you, you must make a written request to the Club's Data Protection Officer. This can be done by using this email address liz.taylor@leatherhead-gymnastics.org.uk . The Club will usually not make a charge for such a request, but we may charge a reasonable fee if you make a request which is manifestly unfounded or excessive, or is repetitive. Your request must include the date and approximate time when the images were recorded and the location of the particular CCTV camera, so that the images can be easily located and your identity can be established as the person in the images.
- 13.3 The Club will usually respond promptly and in any case within one month of receiving a request. However, where a request is complex or numerous the Club may extend

the one month to respond by a further two months.

- 13.4 The Club will always check the identity of the Data Subject making the request before processing it.
- 13.5 The Data Protection Officer will always determine whether disclosure of your images will reveal third party information, as you have no right to access CCTV images relating to other people. In this case, the images of third parties may need to be obscured if it would otherwise involve an unfair intrusion into their privacy.
- 13.6 If the Club is unable to comply with your request because access could prejudice the prevention or detection of crime or the apprehension or prosecution of offenders, you will be advised accordingly.

14. Implementation and Complaints

- 14.1 The Club's Data Protection Officer is responsible for the implementation of and compliance with this policy and the operation of the CCTV system and they will conduct a regular review of the Club's use and processing of CCTV images and ensure that at all times it remains compliant with the laws regulating data protection and privacy. Any complaints or enquiries about the operation of the Club's CCTV system should be addressed to liz.taylor@leatherhead-gymnastics.org.uk
- 14.2 Where this is not appropriate, or matters cannot be resolved informally, employees should use our formal grievance procedure.

15. Requests to prevent processing

- 15.1 We recognise that, in rare circumstances, individuals may have a legal right to request erasure of personal data concerning them or to restrict the processing of their personal data. Any member of staff who considers that these rights apply to them in relation to our use of CCTV should speak to the Data Protection Controller in the first instance.

16. Data Protection

- 16.1 The Club will process the personal data collected in connection with the operation of the CCTV policy in accordance with its data protection policy and any internal privacy notices in force at the relevant time. Inappropriate access or disclosure of this data will constitute a data breach and should be reported immediately to the Club's Data Protection Officer in accordance with the Club's data protection policy. Reported data breaches will be investigated and may lead to sanctions under the Club's disciplinary procedure.