

Corporate CCTV Policy

Birmingham 2022, GHQ (Games Headquarters)



November 2019

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Head of Human Resources	Birmingham Organising Committee for the 2022 Commonwealth Games Limited

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Introduction

The Birmingham 2022 GHQ (Games Headquarters) has in place a CCTV surveillance system across the building at One Brindley Place, Birmingham. This policy details the purpose, use and management of the CCTV system at Birmingham 2022 GHQ and details the procedures to be followed in order to ensure that Birmingham 2022 complies with relevant legislation and the current Home Office Surveillance Camera Code of Practice and the Information Commissioner's Office 'In the picture: A data protection code of practice for surveillance cameras and personal information' .

Birmingham 2022 will have due regard to the Data Protection Act 2018, (DPA 2018) the General Data Protection Regulation (GDPR) and any subsequent data protection legislation, and to the Freedom of Information Act 2000, the Protection of Freedoms Act 2012 and the Human Rights Act 1998.

Birmingham 2022 will also have due regard for the Surveillance Camera Code of Practice June 2013, issued under the Protection of Freedoms Act 2012 and the 12 guiding principles contained therein.

Scope

This policy applies to all the Birmingham 2022 GHQ CCTV systems including Automatic Number Plate Recognition ("ANPR") Licence Plate Recognition Cameras ("LPR"), body worn cameras, webcams, covert installations and any other system capturing images of identifiable individuals for the purpose of viewing and or recording the activities of such individuals. CCTV images are monitored and recorded in strict accordance with this policy and the relevant legislation and guidance

Responsibilities

Chiefs, Directors and Department or Line Managers

Chiefs, Directors and Department or Line Managers are responsible within their departments/ teams for the day to day application of the CCTV Policy by:

- ensuring adequate human and financial resources are available to comply with the aims of the policy;
- monitoring the effect of this policy;
- setting the standard in applying the policy objectives in everyday work activities;
- encouraging staff to be policy conscious in day to day activities;
- reporting breaches of the policy or related matters immediately;
- liaising with the Office and Facilities Manager on policy and related matters;

Employees

- reading the policy and all related communications, including any updates, with the aim of fully understanding the aims and objectives of the policy;
- making enquiries if unsure, of any of the content within the policy or related matters; and
- cooperating with Birmingham 2022 in matters relating to the policy.

Office and Facilities Manager

The Office and Facilities Manager has overall responsibility for the policy. They are also responsible for the day to day management of the policy and will work in conjunction with Chiefs, Directors, Department or Line Managers, employees and others to ensure that all provisions under this policy are met.

The Office and Facilities Manager will ensure that all policy requirements are communicated throughout Birmingham 2022 and facilitate:

- management of day to day policy related matters;
- complete audit inspections;
- complete policy reviews; and
- communication of policy related matters to all employees.

Director of Security

The Director of Security (delegated to the OC Corporate Security Manager when appointed) has the responsibility to support the Office and Facilities Manager in the implementation and enforcement of this policy. This includes:

- advising the Office and Facilities Manager regarding qualifications / certifications required by staff employed to monitor CCTV cameras;
- advising the Office and Facilities Manager on the siting and coverage of future installations;
- utilising CCTV when conducting preliminary investigations into any allegations made within the workplace where CCTV evidence could assist in proving or disproving such allegations;
- considering the use of covert cameras within the building only in exceptional circumstances. These would include allegations of serious crime being committed and where all other methods and techniques to identify the offender have been tried, failed or considered inappropriate; and
- leading the appeals process regarding any complaints regarding perceived misuse of the CCTV system and abuse of the policy.

Data Protection Officer (DPO)

The Data Protection Officer has responsibility for dealing with any data subject requests made under the data protection legislation for access to images captured by Birmingham 2022 GHQ CCTV system.

CCTV System Overview

The CCTV system is owned and managed by Birmingham 2022 and its appointed agents. Under the Data Protection Act 1998 Birmingham 2022 is the 'data controller' for the images produced by the CCTV system. Birmingham 2022 is registered with the Information Commissioner's Office and the registration number is ZA481936. The CCTV system operates to meet the requirements of the Data Protection legislation and the Surveillance Camera Code of Practice.

Birmingham 2022's Office and Facilities Manager is responsible for the overall management and operation of the CCTV system, including activities relating to installations, recording, reviewing, monitoring and ensuring compliance with this policy.

The CCTV system operates across the Birmingham 2022, GHQ.

The CCTV system is capable of being monitored for 24 hours a day, every day of the year.

Siting of CCTV cameras

Details of the number of cameras and locations are listed below:

Roof		Basement		Ground Floor		External Areas	
1	Covers main door plant room	1	Covers carpark in shutter	1	Covers goods entrance	1	Covers Brass House side service yard barrier
2	Covers door onto roof	2	Covers carpark in shutter	2	Covers rear fire exit to Oozells Street	2	Covers Brass House side service yard
3	Covers second door onto roof	3	Covers bottom of carpark ramp	3	Covers security room	3	Covers Broad Street (PTZ camera)
4	Covers third door onto roof	4	Covers carpark lift and stairs door	4	Covers reception desk	4	Covers main entrance
		5	Covers carpark stairs door	5	Covers lift lobby	5	Covers pedestrian walkway Oozells Street
				6	Covers stairs entry to carpark	6	Covers Oozells Street (PTZ camera)
				7	Covers front fire exit to Broad Street	7	Covers pedestrian walkway Broad Street
						8	Covers Oozells Street goods entrance/fire exit
						9	Covers carpark entrance
						10	Covers entrance to HV/LV room
						11	Covers roadway and bin storage area in between One Brindley Place and the Icon building
						12	Covers service yard

There are 28 cameras in total.

Signs are placed at all pedestrian and vehicular entrances in order to inform staff, visitors, contractors and members of the public that CCTV is in operation. The signage indicates that the system is managed by Birmingham 2022 and a 24-hour contact number is provided.

The Office and Facilities Manager is responsible for ensuring that adequate signage is erected in compliance with the ICO CCTV Code of Practice.

Cameras are sited to ensure that they cover Birmingham 2022's Games Headquarters (GHQ) premises as far as is possible. Cameras are installed throughout the building, internally and externally including in vulnerable public facing areas (such as emergency exit doors, deliveries area, car park entrance and exit, High Voltage room, main entrance, external walkways which are part of the building).

Cameras are not sited to focus on private residential areas.

Any proposed new CCTV installation or use of new privacy invasive technologies, such as automated recognition technologies are subject to approval from the Birmingham 2022 Director of Security and completion of a data protection impact assessment (DPIA). The DPO should be contacted to discuss the completion of a DPIA.

Purposes of the CCTV system

The principal purposes of the Birmingham 2022 GHQ CCTV system are as follows:

- for the prevention, reduction, detection and investigation of crime and other incidents;
- to ensure the safety of staff, visitors and contractors;
- to assist in the investigation of suspected breaches of Birmingham 2022 policies and procedures by staff or contractors; and
- the monitoring and enforcement of traffic related matters.

The CCTV system will be used to observe the Birmingham 2022 GHQ areas under surveillance in order to identify incidents requiring a response. Any response should be proportionate to the incident being witnessed.

Birmingham 2022 seeks to operate its CCTV system in a manner that is consistent with respect for the individual's right to privacy.

Monitoring and Recording

Cameras are monitored from the Security Desk, which is a secure area, staffed 24 hours a day. The Security Desk is equipped with a licensed radio system linking it with uniformed Security Officers who provide foot and mobile patrols and can respond to incidents identified on CCTV monitors.

Images are recorded centrally on servers located securely in the building and are viewable at the Security Desk by all security staff. Additional staff may be authorised by the Office and Facilities Manager to monitor cameras sited within their own areas of responsibility on a view only basis.

All staff who will have access to the CCTV system will be trained by Birmingham 2022 or the CCTV operator, before being given access to the system. Staff who misuse surveillance system information may be committing a criminal offence. Sanctions will be applied to any member of staff who misuses surveillance system information.

The cameras installed provide images that are of suitable quality for the specified purposes for which they are installed, and all cameras are checked daily to ensure that the images remain fit for purpose and that the date and time stamp recorded on the images is accurate.

All images recorded by the CCTV System remain the property and copyright of Birmingham 2022.

The monitoring of staff activities will be carried out in accordance with the data protection legislation and, in particular, Part 3 of the Information Commissioner's Office Employment Practices Code, November 2011.

The use of covert cameras will be restricted to rare occasions, when a series of criminal acts have taken place within an area that is not otherwise fitted with CCTV. A request for the use of covert cameras will clearly state the purpose and reasons for use and the authority of the Director of Security will be sought before the installation of any covert cameras. The Director of Security should be satisfied that all other physical methods of prevention have been exhausted prior to the use of covert recording.

Covert recording will only take place if informing the individual(s) concerned would seriously prejudice the reason for making the recording and where there are reasonable grounds to suspect that illegal or unauthorised activity is taking place. All such monitoring will be fully documented and will only take place for a limited and reasonable period.

Body worn cameras may be used during security patrol duties, but these devices will be switched off when they are not required to prevent continuous recording, which may be excessive and intrude on an individual's right to privacy. The downloading of images from such cameras will only be conducted by trained security staff and cameras will be cleansed to remove all images following each shift.

Security staff wearing body worn cameras will disclose, when approaching persons, that they are being video, and audio recorded.

Image Quality

The CCTV system should produce information that is of a suitable quality to meet the purpose for which it was installed. To ensure the system produces good quality, clear images the following will be undertaken by the Office and Facilities Manager:

- Regular checks will be undertaken to ensure the date and time stamp recorded on images is correct (for example, when the UK switches between summer and winter time);
- The compression levels will be reviewed to ensure they do not result in lower picture quality on playback;
- A regular maintenance regime will be developed to ensure the system continues to produce high quality information;
- Any wireless transmission will be encrypted to ensure the data is secure;
- Siting of cameras will be reviewed to ensure they provide clear images;

Compliance with Data Protection Legislation

In its administration of its GHQ CCTV system, Birmingham 2022 complies with the GDPR and DPA 2018.

Article 5 (1) of the GDPR sets out six data protection principles which must be complied with by Birmingham 2022 when dealing with personal data, which includes visual images captured by CCTV. The principles state that personal data must be:

- 1) processed lawfully, fairly and in a transparent manner in relation to the data subject;
- 2) Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research or statistical purposes (also known as the 'purpose limitation' principle);
- 3) Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed (also known as the 'data minimisation' principle);
- 4) Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy');
- 5) Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; (personal data may be stored for longer periods for archiving purposes in the public interest, scientific, historical research or statistical purposes);
- 6) Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').

There is a seventh data protection principle, relating to accountability. It requires that a data controller, such as Birmingham 2022, shall be responsible for, and be able to demonstrate compliance with, the other data protection principles.

Applications for disclosure of images

Applications by individual data subjects

Requests by individual data subjects for images relating to themselves, often referred to as a "subject access request", can be made verbally or in writing. Any such request should immediately be passed to the DPO.

The request should include enough information to be able to prove the requester's identity and to be able to locate the requester's information. For instance, this might include the date, time and location where the footage was captured. Further details of this process are detailed on Birmingham 2022's privacy notice, which is available on Birmingham 2022's website pages on Birmingham 2022's Data Subject Rights Policy and Procedure.

Subject access requests must be processed without undue delay and within one calendar month of receipt of the request (whether it is received on a working day or not). However, the time limit may be extended to a further month if:

- it has been necessary to clarify the request;
- it has been necessary to confirm the requester's identity;
- if a fee has been charged (fees can only be charged in limited circumstances).

Birmingham 2022 will ensure that the identifying features of other individuals who may be viewed in the CCTV recording, but are not the individual making the request, will be suitably obscured, to prevent identification.

Where Birmingham 2022 is unable to comply with a subject access request without disclosing the personal data of another individual who is identified or identifiable from that information, it is not obliged to comply with the request unless satisfied that the individual has provided their express consent to the disclosure, or if it is reasonable, having regard to the circumstances, to comply without the consent of the individual.

Individuals may also wish to exercise other rights available to them under the data protection legislation, such as the right to restrict processing or the right to erasure. Any such request must be forwarded immediately to the DPO.

Access to and disclosure of images to third parties

Any request for access to images will be managed in accordance with the Guiding Principles of the Surveillance Camera Code of Practice and relevant data protection legislation.

In limited circumstances, it may be appropriate to disclose images to a third party, such as when a disclosure is required by law, in relation to the prevention or detection of crime or in other circumstances where an exemption applies under relevant legislation.

Such requests should be made in writing to the Birmingham 2022 Office and Facilities Manager. The requester will need to provide their full contact name, address and proof of identity, the reason for their request (for instance the prevention or detection of crime or if a disclosure is required by law) the date and approximate time of the recorded information they require and the location of the camera which they believe has recorded the relevant images. Other information may also be required to support an application for disclosure of CCTV images.

Such disclosures will be made at the discretion of the Birmingham 2022's Office and Facilities Manager, with reference to relevant legislation and where necessary, following advice from the Chief Legal Officer.

Where a suspicion of employee misconduct arises and at the formal request of the Investigating Officer or HR Manager/Advisor, the Birmingham 2022 Office and Facilities Manager may provide access to CCTV images for use in staff disciplinary cases.

A record of any disclosure made under this policy will be held on the CCTV management system, itemising the date, time, camera, requestor, authoriser and reason for the disclosure.

Storage and Retention of Images

Unless required for evidential purposes, the investigation of an offence or as required by law, CCTV images will be retained for no longer than 30 days from the date of recording. Images will be automatically overwritten after this point. Systematic checks will be undertaken by the Office and Facilities Manager to ensure this retention period is being complied with.

Where an image is required to be held in excess of the retention period referred to above, the Birmingham 2022 GHQ Office and Facilities Manager will be responsible for authorising such a request.

Images held in excess of their retention period will be reviewed on a three-monthly basis and any not required for evidential purposes will be deleted.

Images will be stored in an encrypted format to prevent unauthorised access.

Access to retained CCTV images is restricted to the Office and Facilities Manager and the Birmingham 2022 Director of Security and other persons as required and as authorised by the Birmingham 2022 Office and Facilities Manager or Birmingham 2022 Director of Security. Recorded images will only be viewed in a restricted area to prevent unauthorised access or disclosure.

Complaints procedure

Complaints concerning Birmingham 2022's use of its CCTV system or the disclosure of CCTV images should be made, in the first instance, in writing to the Office and Facilities Manager at:

Office and Facilities Manager

Birmingham 2022
One Brindley Place
Birmingham
B1 2JB

All appeals against the decision of the Office and Facilities Manager should be made in writing to the Director of Security at:

Director of Security

Birmingham 2022
One Brindley Place
Birmingham
B1 2JB

Individuals who are dissatisfied with how Birmingham 2022 has handled their personal data also have the right to complain to the Information Commissioner's Office (ICO). The ICO can be contacted at:

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

Telephone: 0303 123 1113 (local rate)
Textphone service: 01625 545860
Email: casework@ico.org.uk

Monitoring Compliance

The Office and Facilities Manager will monitor the implementation of this policy.

All staff involved in the operation of the Birmingham 2022 GHQ CCTV System will be made aware of this policy and will only be authorised to use the CCTV system in a way that is consistent with the purposes and procedures contained therein.

All staff with responsibility for accessing, recording, disclosing or otherwise processing CCTV images will be required to undertake data protection training as well as training on the use of the system.

Policy Review

Birmingham 2022's usage of CCTV will be reviewed annually by the Office and Facilities Manager and by the Director of Security.

This policy will be subject to review by the Birmingham 2022 GHQ Office and Facilities Manager and Director of Security if any of the following occur:

- the adoption of the policy highlights any errors or omissions in its content;
- where relevant changes in legislation or national guidance impact upon the content of this policy.

Guidance and Legislation

- The Data Protection Act 2018
- The General Data Protection Regulation (EU) 2016/679
- The Protection of Freedoms Act 2012
- The Human Rights Act 1998
- The Surveillance Camera Code of Practice June 2013, The Home Office
- Data Protection Impact Assessment – the Surveillance Camera Commissioner
- In the picture: A data protection code of practice for surveillance cameras and personal information, June 2017, Information Commissioner's Office
- Employment Practices Code, November 2011, Information Commissioner's Office
- Confidentiality and Data Protection Policy, Birmingham 2022
- Data Subject Rights Policy and Procedure, Birmingham 2022
- Information Commissioner's Office guidance at: www.ico.org.uk

Annex A: Guiding Principles of the Surveillance Camera Code of Practice

CCTV System operators should adopt the following 12 guiding principles:

1. Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.
2. The use of a surveillance camera system must consider its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.
3. There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.
4. There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.
5. Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.
6. No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.
7. Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.
8. Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
9. Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
10. There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.
11. When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.
12. Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

Annex B Checklist for users of limited CCTV systems monitoring small retail and business premises

This CCTV system and the images produced by it are controlled by Birmingham 2022 who is responsible for how the system is used and for notifying the Information Commissioner about the CCTV system and its purpose (which is a legal requirement of the Data Protection Act 1998.1

We, Birmingham 2022, have considered the need for using CCTV and have decided it is required for the prevention and detection of crime and for protecting the safety of customers. It will not be used for other purposes. We conduct an annual review of our use of CCTV.

	Checked (date)	By	Date of Next Review
Notification has been submitted to the Information Commissioner and the next renewal date recorded.			
There is a named individual who is responsible for the operation of the system.			
The problem we are trying to address has been clearly defined and installing cameras is the best solution. This decision should be reviewed on a regular basis.			
A system has been chosen which produces clear images which the law enforcement bodies (usually the police) can use to investigate crime and these can easily be taken from the system when required.			
Cameras have been sited so that they provide clear images.			
Cameras have been positioned to avoid capturing the images of persons not visiting the premises.			
There are visible signs showing that CCTV is in operation. Where it is not obvious who is responsible for the system contact details are displayed on the sign(s).			
Images from this CCTV system are securely stored, where only a limited number of authorised persons may have access to them.			
The recorded images will only be retained long enough for any incident to come to light (e.g. for a theft to be noticed) and the incident to be investigated.			

Except for law enforcement bodies, images will not be provided to third parties.			
The potential impact on individuals' privacy has been identified and taken into account in the use of the system.			
The organisation knows how to respond to individuals making requests for copies of their own images. If unsure the controller knows to seek advice from the Information Commissioner as soon as such a request is made.			
Regular checks are carried out to ensure that the system is working properly and produces high quality images.			