

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

LIBRARY SERVICE CCTV POLICY – Central Library

Library Service
Mar 2010

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Introduction

The monitoring, recording, holding and processing of images of identifiable individuals captured by the CCTV system in operation in the library constitutes personal information as defined by the Data Protection Act 1998 (the Act). The policy is intended to ensure that the use of the CCTV system is fully compliant with the requirements of the Act and Human Rights legislation. This will be achieved through defining the purpose of the CCTV system and the rights of individuals.

The CCTV system installed and operated by the library service is located internally and covers various public areas within the library. CCTV signs are located in the areas of coverage. The system is the property of the library service, and authorised library staff will use and have access to it.

Purpose

The CCTV system is employed by the library only for the following specified purposes:

- To prevent and detect crime, this includes theft and criminal damage;
- To protect staff and service users from the fear of crime;
- To provide evidence of crime committed on library premises;
- To provide evidence in service user exclusion procedures; and
- To improve performance management, working practices and workflows.

The system will only be used for the above-identified objectives, and not for any other purpose. It is intended that the operation of the CCTV system will help ensure that a safe environment is provided for both staff and library users.

The use of the CCTV system will not infringe an individual's right to privacy or monitor staff and visitor activities except in the above stated situations.

Disclosure

Disclosure of personal information recorded by the CCTV system will be restricted and carefully controlled, to ensure that the rights of individuals are preserved.

All library staff should be aware of the restrictions on the disclosure of recorded images, and access to recorded images should be restricted to staff who need access for the purpose of the management of the system.

In accordance with the Act - CCTV systems with notices will be displayed informing individuals that monitoring is in operation. An individual upon contacting the Library Service will be informed of possible disclosures of their personal information save in situations where an exemption may apply ie. if the individual is alleged to have committed an offence and the disclosure is requested to aid the investigation.

The library service will only disclose personal information in the following situations:

- Where the service user has been informed of the disclosure.
- Where the information is required for the prevention or detection of crime, and the apprehension or prosecution of offenders (confirmation should be sought from the individual/body requesting disclosure that a failure to provide the information would prejudice these purposes).
- Where the information is required for legal proceedings, including prospective legal proceedings (confirmation should be sought from the individual/body requesting disclosure that a failure to provide the information would prejudice these purposes).
- Where the information is required to be disclosed by law or order of the court.

In addition it will also be necessary to comply with the Human Rights Act 1998. Of particular relevance to possible disclosures made by the Library Service is Article 8 – ***everyone has the right to respect for his private life, his home and his correspondence.*** However, please note that this right is not absolute. The second part of Article 8 recognises that the right to privacy must be balanced with other public interests.

Therefore, the right to privacy can be overridden by a public authority if it is in accordance with the law (ie. the Council is entitled to disclose under the Data Protection Act 1998 in the manner stated above) and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the protection of health or morals, or for the protection of the rights and freedoms of others.

All requests for disclosure should be recorded, and if a request for disclosure is refused, the reason for the refusal should be documented.

Where requests for disclosure are granted, the following should be documented:

- The date and time of the disclosure of the information;
- The identification of the third party who the disclosure was made to;
- The reason for allowing the disclosure; and

- The extent of the information disclosed.

Staff Access and Security

Access to monitors for the purpose of operation and viewing of images is restricted to staff who have the necessary authority (only certain identified managers will have access to the archival images and to the copying process). Public access to the monitors will not be allowed save where there is a lawful and proper reason.

It will be the responsibility of the Principal Librarian/Central to maintain/monitor an access and actions log.

Recorded images on CD and pc's are to be held securely. CD recordings will be held in a locked room with limited access.

Subject Access Requests

An individual has the right under the Act to make a request for a copy of their personal information held by the library service – this includes situations where their images are captured on a CCTV recording. An individual on making a written request is entitled to be provided with a description of the purposes of the recording and details of any disclosure of the recording. All staff involved in the operation of the system must be able to recognise a request from an individual for access to recorded images.

Requests for the release of personal information should be made to the Head of the Library Service and should:

- Be written (this includes e-mail).
- Supply photo identity evidence ie. copy of driving licence, passport or other photo id.
- Submit sufficient details to enable the information to be located ie. date, reasonable time window and location details.

The library service will handle subject access requests within the statutory 40-day period. In accordance with corporate policy requests made for personal information will be handled free of charge.

In situations where a requestor requires a copy of the CCTV recording, the individual will be required to provide the recording format (CD-r) - (individuals should be informed of this policy when making arrangements to access the data). Where an individual requests to view their recorded information – it will be necessary for the requestor to make an appointment.

CDs will not be edited before release to remove identifiable images of third parties. In accordance with the CCTV Code of Practice produced by the Office of the Information Commissioner – as the CCTV cameras are all sited in

public areas – there is a lesser expectation of privacy and therefore it will not be necessary to edit recordings before release.

It is advisable to keep an actions log in situations where a subject access request is received.

Quality of Images

The CCTV system should be maintained regularly to ensure that the equipment performs properly. All archival images will be recorded directly onto the system's hard drive. CDs will only be used in situations where an individual has made a Subject Access Request or if there is requirement for the library to make and keep a copy. Individuals will only be provided with a maximum of 30 minutes recorded footage, and good quality CDs should be used.

CCTV cameras should be situated to ensure that they capture images relevant to the purpose for which the scheme has been set up. For example, if the purpose of the scheme is the prevention and detection of crime or apprehension and prosecution of offenders. The cameras should be sited so that images enabling identification of perpetrators are captured.

In the event of camera damage, there should be a clear procedure for identifying the person responsible for ensuring that the relevant camera is fixed within a specific time period.

Retention

CCTV recordings will be kept for a period of 30 days, after which the recordings will be overwritten, unless a longer period is authorised by a designated manager. In some situations it may be necessary to keep recordings longer – for example when taking legal advice.

Ownership

Ownership of the recorded material and copyright in the recorded material will remain with the library service.

Notices

The library service will display CCTV system notices, and as a minimum requirement will provide contact details for the library service.

Training

The library service will ensure that new staff (both permanent and agency) are briefed and trained on all operational and administrative functions of the

CCTV system. The appropriate level of training will be determined by individual staff user and access rights.

Notification

The CCTV scheme is registered with the Office of the Information Commissioner through the Council Notification. The Notification is renewed and updated on an annual basis.

Supplier and Maintenance Details

The library service has a yearly maintenance contract with the CCTV system supplier, which incorporates a 24-hour service agreement.

Supplier:

ADT Fire and Security plc
Security House
The Summit
Hanworth Road
Sunbury on Thames
Middlesex
TW16 5DB

Technical

The CCTV system conforms with the NACOSS Code of Practice for CCTV (Ref NACP20).

The library operates 8 fixed interior cameras. There is 1 main unit with restricted, locked access within Central Library for all cameras. Local viewing of the images is possible through other users/selected computers:

- Principal Librarian /Central
- Reference office terminal (located on the first floor)
- Lending counter terminal (located on the ground floor)
- Senior Systems Officer
- Head of Library Service
- Senior Librarians (including Local Studies and Archives manager)
- Support Services Officer
- Principal Librarian/Branches
- Information Systems Development Manager
- Principal Librarian/Adult Learning and Social Inclusion

Live viewing is permissible for all library staff as necessary and appropriate. Designated managers will have viewing rights and archival image copying authority for saved images.

Review

The policy is to be reviewed every 12 months.

Contact Details

Written requests for access to recorded images should be addressed to:

Head of Library Service
Central Library
Phillimore Walk
London
W8 7RX

E-mail requests:

headoflibraryservice@rbkc.gov.uk