

Farriers Registration Council



Established under the
Farriers (Registration) Act 1975

FRC Closed Circuit Television (CCTV) Policy

Approved: 24 April 2024

1. Introduction

- 1.1 Farriers Registration Council ('**FRC**') operates a CCTV surveillance system in order to ensure security of its staff, visitors and property.
- 1.2 This policy details the purpose, use and management of the CCTV system by FRC and sets out the procedures that will be followed to ensure continued compliance with relevant legislation.
- 1.3 This Policy is written in accordance with the Information Commissioners Office ('**ICO**') CCTV Code of Practice and Employment Practices Code.
- 1.4 All CCTV systems that process data about a person must comply with certain legislation including the Data Protection Act 2018 and UK General Data Protection Regulations (in combination the '**Data Protection Legislation**'). Whilst FRC are not subject to the Surveillance Camera Commissioner's oversight, it has taken account of the SCC's guidance as a matter of best practice.
- 1.5 By following this Policy FRC ensure that these legal obligations, and matters of good practice guidance, are met.
- 1.6 All persons who have control, operate or have access to the CCTV system, or process its images, will be made aware of the operational, technical and privacy considerations associated with operating the CCTV system and have confirmed their understanding to the relevant policies and procedures, including this Policy.
- 1.7 FRC commit to ensuring that:
 - 1.7.1 the CCTV system is effective in achieving the outcomes and objectives sought from it.
 - 1.7.2 the CCTV system is operated fairly, proportionately and in a manner that is consistent with the law.

- 1.7.3 it protects and respects the rights of all individuals who may have their Personal Data recorded.
 - 1.7.4 anyone who makes use of the systems does so in a professional and ethical manner and complies fully with, and is accountable under, this policy.
 - 1.7.5 it is compliant with the ICO CCTV Code of Practice 2017 to ensure CCTV is used responsibly and safeguards both trust and confidence in its continued use.
 - 1.7.6 where the CCTV system is used to observe the areas under surveillance in order to identify incidents requiring a response, any response will be proportionate to the incident being witnessed.
- 1.8 A copy of this policy is available on the FRC Website (www.farrier-reg.gov.uk) and internal FRC Intranet.

2 The Purpose of the CCTV System

- 2.1 FRC considers it necessary to implement the use of a CCTV system for the purposes of:
- 2.1.1 promoting a safe office environment and providing reassurance to its visitors and staff.
 - 2.1.2 protecting its interests and the interests of its visitors and staff, including in relation to disciplinary issues.
 - 2.1.3 protecting its assets and property from criminal damage and/or theft.
 - 2.1.4 assisting with the prevention, investigation and detection of crime and disorder including helping to identify, apprehend and prosecute offenders, providing the police and other agencies with evidence to take criminal and civil action in the courts.
 - 2.1.5 assisting in the investigation of accidents.

3 Roles and Responsibilities

- 3.1 The owner and operator of the CCTV System is Farriers Registration Council ('**FRC**'), 14 Swan Court, Forder Way, Cygnet Park, Hampton, Peterborough, PE7 8GX. The FRC is a Data Controller for the purpose of the Data Protection Legislation and is registered with the ICO under registration number is Z5385430. FRC may delegate responsibility for managing and delivering the CCTV systems to employees or contractors on FRC's behalf.
- 3.2 The responsible officer for the system is the Registrar who is responsible for the overall management and operation of the CCTV system, including the installation, reviewing, monitoring and ensuring compliance with this policy ('**the CCTV Responsible Officer**').
- 3.3 FRC use Data Processors as part of the delivery of its CCTV system, in particular its cloud based storage provider. The Registrar will be responsible for managing the relationship between FRC and the Data Processors. FRC will:

- 3.3.1 undertake due diligence to ensure that anyone it appoints to help manage the CCTV systems is reliable; and
- 3.3.2 ensure that contracts with any Data Processors meet the requirements (as a minimum) of the Data Protection Legislation.

4 **Privacy and Data Protection**

- 4.1 This policy determines the purpose for which, and the manner in which, any Personal Data is processed. To the extent that it is necessary for FRC to have one for the purposes of Data Protection Legislation, it also serves as FRC's '*Appropriate Policy Document*' for the CCTV system.
- 4.2 **Personal Data** means data which relates to a natural person (as defined by the Data Protection Legislation) who can be identified from that data, either on its own or in combination with other information, which is in the possession of, or is likely to come into the possession of, FRC as a Data Controller. Images captured by the CCTV system will amount to Personal Data, as well as (for instance) emails attaching extracts of CCTV footage referring to specific individuals.
- 4.3 FRC's legal basis for operating the CCTV system is that the processing is necessary for official authority vested in FRC (under Article 6(1)(e) of the UK GDPR), and to the extent that it is not for the purposes of its functions, that it is in its legitimate interests to achieve the objectives in paragraph 2 above. To the extent that the footage captures 'special category data' (for the purposes of the Data Protection Legislation) or instances of criminal activity, FRC's legal basis is generally going to be for employment purposes; preventing or detecting crime or other unlawful conduct, or establishing exercising or defending legal rights.
- 4.4 All Personal Data obtained by the systems will be processed fairly and lawfully, and in accordance with Data Protection Legislation, as follows:
 - 4.4.1 collected for the purposes set out at section 2 ('*Purpose Limitation*')
 - 4.4.2 processed in accordance with the requirements set out at section 5 ('*Lawfulness, fairness and transparency*')
 - 4.4.3 limited to the areas set out a section 5 ('*Data Minimisation*')
 - 4.4.4 kept in the forms and for the time periods set out in section 6 ('*Storage Limitation*')
 - 4.4.5 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*')
- 4.5 FRC will be responsible for how the Personal Data is handled and ensuring compliance with the aforementioned principles, with responsibilities and accountability for the system discharged by the Registrar.
- 4.6 A Data Protection impact assessment has been undertaken and will be reviewed as circumstances require.

5 CCTV Camera Location, Coverage and Signage

- 5.1 The CCTV is located at FRC offices at 14 Swan Court, Forder Way, Cygnet Park, Hampton, Peterborough, PE7 8GX ('the Premises').
- 5.2 The location of the CCTV cameras has been carefully considered to ensure that images captured comply with legislative requirements, including Data Protection Legislation. Every effort has been made to position the cameras so that their coverage is restricted to the Premises.
- 5.3 There are currently four cameras in operation. Three cameras are located on the external office walls to cover the exterior perimeters of the building (front, back and side walls). One camera is located within the internal foyer area covering the main entrance doors. The current location of the cameras is identified at **Annex A**.
- 5.4 The fixed cameras are static.
- 5.5 The cameras are not installed in a covert manner. FRC would not normally install covert CCTV cameras unless there was a very specific need for it to do so, and it would also not normally install cameras in areas that people would normally expect to be private (for instance bathroom facilities). Any decision to do this would need to be taken by the Council.
- 5.6 Signs are displayed at all pedestrian and vehicular entrances to the Premises in order to inform staff, visitors and members of the public that CCTV is in operation. The signage is clearly visible and indicates that monitoring and recording is taking place and its purposes, the hours of operation, who the system owner is and where complaints/questions about the systems should be directed to.
- 5.7 A copy of this policy is available to any person whose Personal Data is processed by reason of them being on the Premises.

6 Monitoring, Recording and Storing Data

- 6.1 The CCTV system is operational and capable of monitoring the Premises for 24 hours a day, every day of the year.
- 6.2 The CCTV system records visual images only and does not record sound.
- 6.3 'Live' monitoring of the CCTV footage does not take place.
- 6.4 The CCTV footage is recorded on to a secure independent cloud-based server, held in the locked IT server cupboard, and is viewable by the Registrar as required. Additional staff may be authorised by the Registrar for the system to monitor cameras on a view only basis for any of the purposes outlined at section 2. Such authorisations will be recorded in accordance with section 9.2 below.
- 6.5 Recorded material will be stored in a way that maintains the integrity of the image and information to ensure that metadata (e.g. time, date and location) is recorded reliably, and compression of data does not reduce its quality.
- 6.6 The cameras installed provide images that are of suitable quality for the specified purposes for which they are installed, and all cameras are checked on a regular basis, but in any event no less than once per week to ensure that the images remain fit for purpose and that the date and time stamp recorded on the images is accurate.

- 6.7 Data storage is automatically managed by the CCTV digital records which overwrite historical data in chronological order.
- 6.8 The CCTV footage will normally be retained for no longer than 30 calendar days from the date of recording (**'the Retention Period'**) unless a request has been made, or it otherwise is necessary to store the footage, for:
- 6.8.1 the prevention or detection of crime;
 - 6.8.2 the apprehension or prosecution of offenders;
 - 6.8.3 any anticipated or on-going civil or criminal proceedings;
 - 6.8.4 for internal investigations or disciplinary matters; and/or
 - 6.8.5 to facilitate a response to a Data Subject Access Request.
- 6.9 Where an image is required to be held in excess of the Retention Period the Registrar will be responsible for authorising this, and recordings will be protected against loss or held separately from the surveillance system and will be retained for up to six months following date of last action, or until a time when the reasons for its retention as outlined at section 6.8 is extinguished, and then securely disposed of, unless it is necessary to keep them for longer. 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. Access to retained CCTV images is restricted to the Registrar and other persons as authorised. Such authorisation will be recorded in accordance with section 9.2 below.
- 6.10 All images recorded by the CCTV System remain the property and copyright of FRC.

7 Data Subject Access Requests

- 7.1 An individual who believes that their Personal Data has been recorded by the CCTV System (**'the Data Subject'**) may make a request to FRC for confirmation that the Data Processor is processing its data and/or to access that data, either by requesting a copy of the recorded material containing it or by requesting a viewing.
- 7.2 Data Subject Access Requests should be submitted to:
- The Registrar,
Farriers Registration Council,
14 Swan Court,
Forder Way, Cygnet Park,
Hampton,
Peterborough,
PE7 8GX.
- 7.3 Requests to view recorded material after 30 days of the event cannot be processed as the material is erased after 30 days (unless the footage has been retained for longer in accordance with the provisions above).

- 7.4 In order to locate the images on the system sufficient detail should be provided by the Data Subject in order to allow the relevant images to be located and the Data Subject to be identified. This should include the date and time at issue and location.
- 7.5 Under the UK GDPR, FRC has, in the first instance, one month within which to comply with a request for access/viewing, during which time it will determine whether the individual making the request is the Data Subject. Accordingly, an individual may be asked, where appropriate, to produce photographic proof of identity, such as a passport, driver's licence or similar document with an up-to-date photograph.
- 7.6 Where a Data Subject Access Request is made, FRC will seek to ensure that only data relating to the Data Subject is disclosed. FRC will seek to ensure that footage relating to third parties is not disclosed (for instance, through blurring out of the third party) wherever practicable. If it is not possible to exclude Personal Data relating to a third party the Data Subject's Personal Data will only be disclosed with the consent of the third party or where it is reasonable, having regard to all of the circumstances, to disclose the Personal Data of the third party without such consent.
- 7.7 Data Subject Access Requests can also be refused if disclosure would prejudice any of the exemptions listed below, at the time of the request. That is where the CCTV footage capturing Personal Data is being processed for:
- 7.7.1 the prevention or detection of crime;
 - 7.7.2 the apprehension or prosecution of offenders; and/or
 - 7.7.3 any on-going civil or criminal proceedings.
- 7.8 Further details of this process can be obtained by contacting the Registrar.
- 7.9 Under the Data Protection Legislation the Data Subject may have further rights in connection with their data, which will be responded to on a case-by-case basis by FRC.

8 Access and disclosure of images to third parties

- 8.1 A request for images made by a third party should be made to the Registrar. Requests must be in writing.
- 8.2 Access to images by third parties is allowed in limited circumstances. Requests must be for the purpose of:
- 8.2.1 providing evidence in criminal proceedings;
 - 8.2.2 providing evidence in civil proceedings;
 - 8.2.3 preventing or reducing crime;
 - 8.2.4 investigation and detection of crime;
 - 8.2.5 responding to Data Subject Access Requests (see section 7 above); and
 - 8.2.6 identification of witnesses.

- 8.3 Before disclosing any footage, consideration will be given to whether images of third parties should be obscured to prevent unnecessary disclosure. Where information is disclosed, the Registrar will ensure that the information is transferred securely.
- 8.4 Images may be released to the media for the purposes of identification in the context of the prevention of crime or to assist in locating a missing person. Any such decision to disclose will be taken in conjunction with the Police and/or other relevant law enforcement agencies.

9 CCTV Disclosure Records

- 9.1 FRC will keep a record of all disclosures which, as a minimum, sets out:
- 9.1.1 when the request was made and by whom;
 - 9.1.2 the date, time and camera for which the CCTV was requested;
 - 9.1.3 the lawful basis for disclosure;
 - 9.1.4 what factors were considered in deciding whether to allow access to any third party images;
 - 9.1.5 the date of the decision to permit disclosure and the name of the authoriser; and
 - 9.1.6 whether the requester was permitted to view the footage, or if a copy of the images were provided, and in what format.
- 9.2 Where the Registrar has authorised another person to monitor the CCTV cameras or view the CCTV footage in accordance with sections 6.4 and 6.9 above, the Registrar will maintain a record of this authorisation.
- 9.3 The CCTV Disclosure Records will be kept for 2 years and thereafter securely disposed of.

10 Complaints Procedure

- 10.1 FRC's complaints procedure is available on FRC website here: <https://www.farrier-reg.gov.uk/making-a-complaint-against-the-council>
- 10.2 Complaints concerning FRC's use of its CCTV system or the disclosure of CCTV images should be made in writing to the Registrar at frc@farrier-reg.gov.uk.
- 10.3 Any appeal against a decision about FRC's use of CCTV should be made in writing to the Deputy Registrar at the Farriers Registration Council, 14 Swan Court, Cygnet Park, Hampton, Peterborough, PE7 8GX within 14 days.

11 Policy Review Procedure

- 11.1 A review will, at a minimum, be undertaken every three years with regards to the use of the CCTV system to ensure it remains necessary, proportionate and effective in meeting the stated purposes. Where substantial changes to the way in which the

CCTV system operates are proposed in the meantime, potential updates to the policy will be considered.

11.2 As part of the review of the FRC will assess:

- 11.2.1 whether the location of cameras remains justified in meeting the stated purpose and whether there is a case for removal or relocation;
- 11.2.2 the monitoring operation, e.g. if 24 hour monitoring in all camera locations is necessary or whether there is a case for changing monitoring hours or retention periods;
- 11.2.3 Whether the current provision is proportionate and whether there are alternative (for instance less intrusive) methods to achieve the stated purposes.

ANNEX A

