

Privacy Notice (How we use your information)

Kirklees Council Public Open Space CCTV

Kirklees Council has installed CCTV (Closed Circuit Television) cameras in various towns centre locations within the borough, for the purposes of reducing crime, disorder, anti-social behaviour, and the fear of crime by helping to provide a safer environment for those people who live and work in the area and for visitors travelling through the area.

CCTV is also installed on highways for monitoring traffic. In all locations, signs are displayed notifying you that CCTV is in operation and providing details of who to contact for further information about the scheme

The categories of information that we collect, process, hold and share include:

- Recorded CCTV Images of people and activities, this may include special category data including racial or ethnic origin, data concerning health or data concerning sex life or sexual orientation and may also include the commission of offences.

Why we collect and hold this information

We use this personal data in order to:

- comply with legal obligations
- carry out functions in the public interest, deter and assist in the detection of crime and anti-social behaviour
- reduce the fear of crime and anti-social behaviour
- improve public protection within the borough
- improve the safety and security of residents, visitors and the business community who use the facilities covered by the CCTV scheme
- facilitate the arrest and prosecution of offenders for civil, criminal and public order offences
- deter vandalism
- discourage anti-social behaviour, including alcohol and drug-related issues
- enhance our local environment for the enjoyment and benefit of our residents
- assist with statutory duties under the Criminal Justice and Public Order Act 1994 and the Crime and Disorder Act 1998.

Kirklees Council will not use its CCTV for:

- monitoring the general activities of individuals or groups for reasons of age, gender, religion or race who have not come to the attention of the operators of the system for one of the above reasons

- monitoring anyone lawfully going about their business unless circumstances are such that give rise to particular risk concerns for that person's or the general public's safety (such as searching for missing persons or observing individuals in obvious distress)
- intrusion into the privacy of any individual unless to comply with one of the above authorised uses.

The lawful basis on which we use this information

Under Article 6 of the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing this information are:

6(1)(e) We need it to perform a public task.

These legal bases are underpinned by acts of legislation that dictate what actions can and should be taken by local authorities. This includes, but may not be limited to:

The system was established under Section 115 of the Crime and Disorder Act. It operates within the legislation requirements and is fully accredited by the industry inspectorates to all required standards.

According to the General Data Protection Regulations (GDPR) and the Data Protection Act 2018, we must have a reason to collect and use your information.

The processing of CCTV data is carried out in compliance with statutory authority and does not require the consent of the individuals concerned under GDPR.

We comply with the 12 principles listed in the surveillance camera code of practice issued by the Home Office (which applies to local authorities and police forces in England and Wales)

[Surveillance Camera Code of Practice \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/61111/surveillance-camera-code-of-practice.pdf)

We also comply with the code of practice for surveillance cameras and personal information issued by the Information Commissioner's Office.

[ICO Code of Practice](https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/legitimate-interests/when-is-legitimate-interest-a-lawful-basis/)

In order to do this work, we also need to collect some special category data. This is personal data that needs more protection because it is sensitive. Under Article 9 of the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing special category information are

9(2)(g) Reasons of substantial public interest (with a basis in law)

Access To Data

There is no planned regular or scheduled sharing of CCTV footage with any external organisation. However, in the event of a security incident or suspected security incident, footage may be shared with third party organisations such as the police or insurance companies.

Footage may be shared with an individual in response to a subject access request. Where a subject access request is made, efforts will be made to seek the consent to disclosure of images of any other individuals captured in the footage, and where this is not possible, consideration will be given as to whether or not it is reasonable to share the information without their consent.

How we store your personal information

Images captured on camera are transmitted to and recorded on hardware hosted within our infrastructure and as a result will be subject to appropriate security protocols. They can then be viewed remotely from the control room, which is located in a secure Kirklees Council building.

Access to the control room is restricted to trained personnel only.

Your information is safely stored within the secure CCTV Control Centre on Kirklees Council's secure network drives.

We keep CCTV footage for 31 days. We will then dispose your information by automatically deleting the footage at 31 days.

Footage may be stored longer if requested for evidential purposes. We will keep this information for one year after completion, in case of any queries.

Who we may share your information with

We may sometimes share the information we have collected about you where it is necessary, lawful and fair to do so. In each case we will only share the minimum amount of information, only when required, for the following reasons

- To comply with the legal purposes specified in this notice, we may be required to share this data with certain organisations such as the police, emergency services and other law enforcement agencies (eg HM Customs and Excise) and other public bodies with regulatory functions (which also includes other services within the council).

We may share this information with:

- Other services within Kirklees Council;
- Other partners such as health and the police.
- On specific and written request, images may be shared with Solicitors and / or insurance companies in pursuit of legal and / or civil proceedings / claims.

We do not share personal information about you with anyone else without consent unless the law and our policies allow us to do so.

We will only disclose CCTV recordings or images to third parties to comply with a legal obligation, or where legally permitted, such as for crime prevention and detection, or criminal / civil processes.

We do not share personal information about you with anyone else without consent unless the law and our policies allow us to do so.

Your data protection rights

Under data protection law, you have a number of rights, including the right to have your records rectified and the right to ask for access to all the information the Council holds about you. These rights are listed in more detail on [Kirklees Council's data protection rights page](#).

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at Data.protection@kirklees.gov.uk if you wish to make a request.

Further information

If you would like further information about how we manage your data, please see the [Kirklees Council privacy notice](#)

If you would like further information about this privacy notice, please contact:

CCTVenquiries@kirklees.gov.uk

If you have any worries or questions about how your personal data is handled, please contact the Data Protection Officer at DPO@kirklees.gov.uk or by ringing 01484 221000.

You can also complain to the ICO if you are unhappy with how we have used your data. You can contact the ICO via the ['Contact us' page on their website](#), or by ringing 0303 123 1113.