



RED LION CHAMBERS

18 RED LION COURT, LONDON

&

THORNWOOD HOUSE, CHELMSFORD

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| CCTV POLICY |
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1. Introduction

- 1.1 Red Lion Chambers “Chambers” has in place a CCTV surveillance system “the CCTV system” across its two sites (London & Chelmsford). This policy details the purpose, use and management of the CCTV system at Chambers and details the procedures to be followed to ensure that Chambers complies with relevant legislation and the current Information Commissioner’s Office Code of Practice.
- 1.2 Chambers will have due regard to the Data Protection Act 1998, 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. Although not a relevant authority, Chambers will also have due regard to the Surveillance Camera Code of Practice, issued under the Protection of Freedoms Act 2012 and in particular the 12 guiding principles contained therein.
- 1.3 This policy is based upon guidance issued by the Information Commissioner’s Office, ‘In the picture: A data protection code of practice for surveillance cameras and personal information’¹ (“the Information Commissioner’s Guidance”).
- 1.4 This policy and the procedures therein detailed, applies to all Chambers’ CCTV systems including webcams, 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.

2. CCTV System Overview

- 2.1 The CCTV system is owned by Red Lion Chambers, 18 Red Lion Court, London, EC4A 3EB and managed by Chambers and its appointed agents. Under the Data Protection Act 1998 Red Lion Chambers is the ‘data controller’ through the Head of Chambers for the images produced by the CCTV system. Chambers is registered with the Information Commissioner’s Office and the registration number is Z5654762. The CCTV system operates to meet the requirements of the Data Protection Act and the Information Commissioner’s Guidance.
- 2.2 The Practice Director 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.
- 2.3 The CCTV system operates across Chambers’ two sites.
- 2.4 Signs are placed at all pedestrian entrances in order to inform staff, members of Chambers, visitors and the public that CCTV is in operation. The signage indicates that the system is managed by Red Lion Chambers and a 24 hour contact number is provided.
- 2.5 The Practice Director is responsible for ensuring that adequate signage is erected in compliance with the ICO CCTV Code of Practice.
- 2.6 Cameras are sited to ensure that they cover Chambers’ premises as far as is possible. Cameras are installed throughout Chambers’ sites.
- 2.7 Cameras are not sited to focus on private residential areas.
- 2.8 The CCTV system is operational and images are capable of being recorded for 24 hours a day, every day of the year.
- 2.9 Any proposed new CCTV installation is subject to a Privacy Impact Assessment.

- 2.10 Further information regarding the number and location of CCTV cameras please contact the Practice Director.

3. Purposes of the CCTV System

- 3.1 The principal purposes of Chambers' CCTV system are as follows: - for the prevention, reduction, detection and investigation of crime and other incidents; - to ensure the safety of staff, member and visitors; - to assist in the investigation of suspected breaches of Chambers' regulations by staff or members.
- 3.2 The CCTV system will be used to observe Chambers' sites in order to identify incidents requiring a response. Any response should be proportionate to the incident being witnessed.
- 3.3 Chambers seeks to operate its CCTV system in a manner that is consistent with respect for the individual's privacy.

4. Monitoring and Recording

- 4.1 Cameras are not monitored but the images can be viewed live in the clerks room during working hours.
- 4.2 Images are recorded centrally on servers located securely in Red Lion Chambers and can be viewed by staff/member with authorisation. Additional staff may be authorised by the Practice Director to monitor cameras sited within their own areas of responsibility on a view only basis.
- 4.3 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.
- 4.4 All images recorded by the CCTV System remain the property and copyright of Chambers.
- 4.5 The use of covert cameras will be restricted to rare occasions, when a series of criminal acts have taken place within a particular 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 Practice Director will be sought before the installation of any covert cameras. The Practice Director should be satisfied that all other physical methods of prevention have been exhausted prior to the use of covert recording.
- 4.7 Covert recording will only take place if informing the individual(s) concerned would seriously prejudice the reason for making the recording and where there is 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.

5. Compliance with Data Protection Legislation

- 5.1 In its administration of its CCTV system, Chambers complies with the General Data Protection Regulation and data protection legislation. Due regard will be given to the data protection principles contained within Article 5 of the GDPR which provide that personal data shall be:
- a) processed lawfully, fairly and in a transparent manner;

- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) accurate and, where necessary, kept up to date;
- e) kept in a form which permits identification of the data subjects for no longer than is necessary for the purposes for which the personal data are processed;
- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures.

6. Applications for disclosure of images

Applications by individual data subjects

- 6.1 Requests by individual data subjects for images relating to themselves "Subject Access Request" should be submitted in writing to Chambers' Practice Directors together with proof of identification. Further details of this process will be made available upon request.
- 6.2 In order to locate the images on Chambers' system, sufficient detail must be provided by the data subject in order to allow the relevant images to be located and the data subject to be identified.
- 6.3 Where Chambers 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.

Access to and disclosure of images to third parties

- 6.4 A request for images made by a third party should be made in writing to the Practice Director.
- 6.5 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.
- 6.6 Such disclosures will be made at the discretion of the Practice Director, with reference to relevant legislation and where necessary, following advice from the relevant Chambers committee.
- 6.7 Where a suspicion of misconduct arises and at the formal request of the Investigating Officer or HR Manager/Advisor, the Practice Director may provide access to CCTV images for use in staff disciplinary cases.
- 6.8 The Practice Director may provide access to CCTV images to Investigating Officers when sought as evidence in relation to staff/member discipline cases.
- 6.9 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.

7. Retention of Images

- 7.1 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.
- 7.2 Where an image is required to be held in excess of the retention period referred to in 7.1, the Practice Director or their nominated deputy, will be responsible for authorising such a request.
- 7.3 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.
- 7.4 Access to retained CCTV images is restricted to the Practice Director other persons as required and as authorised by the Practice Director.

8. Complaints procedure

- 8.1 Complaints concerning Chambers' use of its CCTV system or the disclosure of CCTV images should be made in writing to the Practice Director (complaints@18rlc.co.uk).
- 8.2 All appeals against the decision of the Practice Director should be made in writing to the Head of Complaints Committee at complaints@18rlc.co.uk.

9. Monitoring Compliance

- 9.1 All staff/members involved in the operation of Chambers' 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.
- 9.2 All staff/members with responsibility for accessing, recording, disclosing or otherwise processing CCTV images will be required to undertake data protection training.

10. Policy review

- 10.1 Chambers usage of CCTV and the content of this policy shall be reviewed annually by the Practice Director with reference to the relevant legislation or guidance in effect at the time. Further reviews will take place as required.

Red Lion Chambers

Ch. Admin. Last Reviewed – 3/09/20