

## CCTV Policy

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### What is the purpose of this document?

This Policy seeks to ensure that the Close Circuit Television (CCTV) system used at Leeds University Union (LUU) is operated in compliance with the relevant laws and use is proportional and with respect to individuals' data privacy rights.

Policy versions and procedures to request CCTV footage are included at the end of this document.

If you have any requests or comments about this policy, please contact LUU's data controller:

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## 1. Policy Statement

1.1 This Policy seeks to ensure that the Close Circuit Television (CCTV) system used at Leeds University Union (LUU) is operated in compliance with the law relating to data protection (currently the General Data Protection Regulation (“GDPR”) and the Data Protection Act 2018 (“DPA 2018”). It also takes into account best practice as set out in codes of practice issued by the Information Commissioner and by the Home Office.

More information on LUU’s privacy law compliance with respect to individuals can be found in Appendix 1.

LUU is processing individual data using CCTV under the legitimate interest legal base.

*(The legitimate interest assessment for reference is included within Appendix 2)*

1.2 LUU seeks to ensure, as far as is reasonably practicable, the security and safety of all students, staff, visitors, contractors, its property and premises.

LUU therefore deploys CCTV to:

- Promote a safe LUU community and to monitor the safety and security of its premises;
- Assist in the prevention, investigation and detection of crime;
- Assist in the apprehension and prosecution of offenders, including using images as evidence in criminal proceedings; and
- Assist in the investigation of breaches of its codes of conduct and policies by staff, students and contractors and where relevant, appropriately investigate complaints.

1.3 This policy will be reviewed annually by LUU’s Audit & Risk board sub-committee or as required by changes in legislation.

1.4 The operational requirements for the CCTV system in use across LUU are documented in a “CCTV Operational Requirements Report”. This can be provided to relevant law enforcement officials by appropriate request.

## 2. Scope

2.1 This policy applies to the fixed CCTV system installed in the LUU building (Leeds University Union, Lifton Place, Leeds, LS2 9JZ) and any mobile/personal camera recording used for the purpose of ensuring security and safety.

2.2 This policy does not apply to any cameras operated by clubs and societies affiliated to LUU, either within the LUU building or external. As part of the induction of their committees, the clubs and societies receive training covering the consent of individuals to record, store and process their data.

2.3 This policy applies to all LUU staff, contractors and agents who operate, or supervise the operation of the CCTV system including Security and Duty Management.

### **3. Roles and Responsibilities**

3.1 The Data Controller has the overall responsibility for this policy, but has delegated day-to-day responsibility for overseeing its implementation to The Deputy Chief Executive (Operations).

3.2 The remit of the Deputy Chief Executive (Operations) includes all changes to the CCTV system, for example upgrade or replacement, and ensuring usage by appropriate parties is in accordance with the principles outlined in the Policy Statement.

3.3 Where significant changes to the extent of system use or usage occur, LUU will establish a review involving the Data Controller.

### **4. System Description**

4.1 The CCTV systems installed in and around LUU's estate cover building entrances, perimeters, external areas such as courtyards, internal areas such as social spaces, computer rooms, rooms with high value equipment, some corridors and reception areas. They continuously record activities in these areas and some of the cameras are set to motion detection.

4.2 CCTV Cameras are not installed in areas in which individuals would have an expectation of privacy such as toilets, changing facilities etc.

4.3 CCTV cameras are installed in such a way that they are not hidden from view. Signs are prominently displayed where relevant, so that staff, students, visitors and members of the public are made aware that they are entering an area covered by CCTV. The signs also contain contact details as well as a statement of purposes for which CCTV is used.

4.4 The contact point indicated on the CCTV signs around LUU should be available to members of the public during normal business hours. Employees staffing the contact telephone number point must be familiar with this document and the procedures to be followed in the event that an access request is received from a Data Subject or a third party.

### **5. Covert Monitoring**

5.1 We will only engage in covert monitoring or surveillance (that is, where individuals are unaware that the monitoring or surveillance is taking place) in highly exceptional circumstances. This includes but is not limited to instances where there are reasonable grounds to suspect that criminal activity or extremely serious malpractice is taking place and, after suitable consideration, we reasonably believe there is not a less intrusive way to tackle the issue.

5.2 In the unlikely event that covert monitoring is considered to be justified, it will only be carried out with the express authorisation of the Data Controller and the Director of

People and Quality. All decisions to engage in covert recording will be documented, including the reasons.

5.3 Any covert monitoring that does take place will be carried out only by those authorised in the CCTV Operational Requirements Report.

5.4 Covert monitoring will only be carried out for a limited and reasonable period of time consistent with the objectives of making the recording and will only relate to the specific suspected illegal or unauthorised activity.

## **6. Operating standards**

6.1 The operation of the CCTV system will conform to relevant guidance from the Information Commissioner's Office (ICO) and other legal or regulatory guidance that applies to LUU operations.

6.2 CCTV images will be displayed only to persons authorised to view them or to persons who otherwise have a right of access to them. This necessitates appropriate siting of viewing locations and/or access control.

6.3 Where the CCTV is viewed by an appropriate third party, for example Police officers, this access must be recorded in a log.

6.4 Images produced by the recording equipment must be as clear as possible so they are effective for the purpose for which they are intended. The standards to be met are:

- Recording features such as the location of the camera and/or date and time reference must be accurate and maintained;
- Cameras must only be situated so that they will capture images relevant to the purpose for which the system has been established;
- Consideration must be given to the physical conditions in which the cameras are located i.e. additional lighting or infrared equipment may need to be installed in poorly lit areas;
- Cameras must be properly maintained and serviced to ensure that clear images are recorded and a log of all maintenance activities kept; and
- As far as practical, cameras must be protected from vandalism in order to ensure that they remain in working order. Methods used may vary from positioning at height to enclosure of the camera unit within a vandal resistant casing.

## **7. Retention and disposal of data**

7.1 CCTV images are not to be retained for longer than necessary, taking into account the purposes for which they are being processed. Data storage is automatically managed by the CCTV digital records which overwrite historical data in chronological order to produce an approximate 28-day rotation in data retention.

7.2 Provided that there is no legitimate reason for retaining the CCTV images (such as for use in disciplinary and/or legal proceedings), the images will be erased following the expiration of the retention period.

7.3 All retained CCTV images will be stored securely. Details of the mechanism of storage are included within the CCTV Operational Requirement Report.

## 8. Data Subject Rights

8.1 Data subject rights are in accordance with LUU's existing Data Protection and Privacy policy including any exercise of rights.

More information on LUU's privacy law compliance with respect to individuals can be found in Appendix 1.

## 9. Third Party Access

9.1 Third party requests for access will usually only be considered in line with the GDPR and DPA 2018 in the following categories:

- Legal representative of the Data Subject;
- Law enforcement agencies including the Police;
- Disclosure required by law or made in connection with legal proceedings;

and:

- HR staff responsible for employees and students in disciplinary and complaints investigations and related proceedings.

9.2 Legal representatives of the Data Subjects are required to submit to LUU's Data Controller a letter of authority to act on behalf of the Data Subject and provide the evidence of the Data Subject's identity.

9.3 The 'authorised to release footage' persons listed in the CCTV Operational Requirement Report will disclose recorded images to law enforcement agencies including the Police once in possession of a formal request certifying that the images are required for either:

- The prevention or detection of crime
- The apprehension of offenders

Where images are sought by other bodies/agencies with a statutory right to obtain information, evidence of that statutory authority will be sought before CCTV images are disclosed.

9.4 Every disclosure of CCTV images should be recorded.

*Note: Leeds University Union is not subject to obligations under the freedom of information act.*

## 10. Complaints

10.1 Any complaints related to LUU's use of CCTV should be submitted as an informal or formal complaint via: <https://www.luu.org.uk/contact/complaints/>

## Appendix 1 : LUU approach to privacy law (individuals)

Leeds University Union is committed to protecting the privacy and security of your personal information.

The General Data Protection Regulation (GDPR) (EU) 2016/679 is a regulation in EU law on data protection and privacy for all individuals within the European Union and the European Economic Area.

Applied across Europe from 25th May 2018, implemented in the UK by the Data Protection Bill, it supersedes the UK Data Protection Act (1998) and is designed to give you more control over your personal data and to simplify the regulatory environment across the EU for data management, including how data is exported outside the EU and EEA.

Following the introduction of this updated privacy legislation, our data protection and privacy policy was reviewed and updated. The latest version can be found on our website including how individuals can exercise their individual data rights:

<https://www.luu.org.uk/legal/data-protection-privacy-policy/>

## Appendix 2 : Legitimate Interests Assessment

The scope is the use of CCTV covering all the bars, venues and public spaces (including entrances/exits) within Leeds University Union, Lifford Place, Leeds, LS2 9JZ.

Area	Test	Response
<b>The legitimate interest(s)</b>	Who benefits from the processing? In what way?	Both LUU and the individual benefit, as the information captured can be used to prove that we have protected your interests and resolve disputes between us. It can also be used for the detection and prevention of crime, as well as for the protection of both you and us.
	Are there any wider public benefits to the processing?	Yes. As a building that can be accessed by members of the public, as part of our role in the detection and prevention of crime, we can provide law enforcement and insurers with enhanced information to be able to legitimise and provide clear evidence on any incidents that occur. This may allow for feedback and improvements in health and

		safety or the understanding of risk,
	How important are those benefits?	The benefit to the individual of being able to easily resolve disputes and for LUU to take any resultant feedback towards our efforts to maintain a safe and secure environment for both registered members and the public are of significant importance. The wider public benefits as detailed above are of secondary importance.
	What would the impact be if you couldn't go ahead?	<p>LUU's bar/venue operations mandate the use of CCTV as a requirement to be a licensed premises. It would not be possible to fulfil the licensing requirement, therefore the bar/venue would not be able to operate.</p> <p>If there are disputes connected with our licensed night club venues, the individual(s) may be intoxicated (for example if being removed in accordance with our license obligations). In that case, an account of the dispute would need to be written and the individuals may be unwilling or unable to give an objective account. This may make it more difficult to resolve disputes in an objective and fair manner. The above would also apply to other incidents that may occur within LUU's site.</p>
	Would your use of the data be unethical or unlawful in any way?	No. We will use the data to improve safety within the site, provide security to customers and staff, as well as to act as a deterrent for crime. In the event of an incident this can be used for the detection of that crime, that would be shared with insurers or law enforcement in accordance with legal obligations.



<b>Necessity test</b>	Does this processing help to further that interest?	Yes. The recording of these images will be used for the detection and prevention of crime, as well as to consider the safety within the site. Images can be reviewed to consider what has happened and if any corrective action either inside or outside of the organisation needs to be taken.
	Is it a reasonable way to go about it?	Yes. All CCTV operations are conducted in line with the recommendations from the information commissioner under its CCTV code of practice, and under the Protection of Freedoms Act 2012. This is also in line with industry best practice - both law enforcement and SIA registered security guards use cameras (personal worn body cameras) to prove conduct as well as provide evidence during legal disputes.
	Is there another less intrusive way to achieve the same result?	No. This is a standard procedure for the UK market and one that is endorsed by law enforcement and other public safety bodies. The only alternative would be more intrusive monitoring and increased security guards.
<b>Balancing test</b>	What is the nature of your relationship with the individual?	There may or may not be a relationship with the individuals that are captured on CCTV.  We believe individuals who have chosen to use the building as a transit route - and who never engage with any LUU services - will be in the minority, and that most individuals will be engaging with LUU services on a consent basis, or in the case of staff, their data will be processed under legitimate interest as a condition of their employment.
	Is any of the data particularly sensitive or private?	The activity recorded will determine the sensitivity or private nature. To accommodate this variance, storage of data is

		subject to stringent security processing.
	Would people expect you to use their data in this way?	Yes. This is the expected function of this type of system and in line with public perception, as well as standard operating practice governed by codes of conduct from the ICO, Home Office and law enforcement bodies.
	Are you happy to explain it to them?	Yes. This Legitimate Interest Assessment, documents our interests and can be provided to the data subject, representative or information commissioner on request.

### Appendix 3 : Useful Links

The Information Commissioner’s Code of Practice can be found at:

<https://ico.org.uk/media/for-organisations/documents/1542/cctv-code-of-practice.pdf>

The Home Office Code can be found at:

<https://www.gov.uk/government/publications/surveillance-camera-code-of-practice>

### Version Control

Version	Reference	Date	Author(s)
v1	Renewed 2019 Policy	26/09/2019	J.Hegarty-Ditton
v2	Updated for 2021	26/11/2021	J.Hegarty-Ditton