

Nottingham City Council uses Closed Circuit Television (CCTV) and surveillance cameras at various locations and public places; this can include:

- CCTV systems on Nottingham City Council property;
- CCTV systems in public spaces;
- Cameras on Council vehicles which may record inside and outside of vehicles;
- Body Work Cameras (BWC) worn by some council employees mainly in the areas of enforcement and community protection officers;
- CCTV cameras located at bus stops throughout the city centre
- CCTV cameras in cycle hubs throughout the city centre
- Traffic monitoring and enforcement cameras;
- Bus lane enforcement cameras;
- CCTV operated on behalf of Nottingham City Homes (NCH); and
- Automatic Number Plate Recognition (ANPR) which records vehicle registration plates.

When recording images, we will place a notice near the CCTV camera to inform you that images are being recorded.

CCTV and surveillance cameras record live, moving and still images in real-time. The cameras will record everything within its field of view, in the direction that it is pointed at. Some cameras are static, while others may be controlled and moved by the Council in real-time.

Nottingham City Council is the data controllers for the personal data that we process about you. When we process personal data relating to you, we will only do so when it is necessary and where we have a lawful reason to do so.

We collect CCTV and surveillance images for several reasons. This may include some of or all of the following:

- For the prevention and detection of crime and anti-social behaviour;
- To provide evidence to enable the defence of legal and insurance claims, should they arise;
- For public safety;
- To facilitate the apprehension or prosecution of offenders;
- To protect Council buildings, staff, land and other public buildings;

- For operational performance and management which may include staff disciplinary, grievance, formal complaints;
- To manage traffic and operation of the road network;
- To facilitate traffic enforcement;
- Reducing violent or aggressive behaviour towards staff; and
- To assist with health and safety matters.

When we process your personal data, we will comply with data protection legislation and enable you to exercise your rights contained within the legislation.

Lawful basis for processing

The basis under which the Council uses personal data for this purpose is that this is:

- **Necessary for the performance of a task carried out in the public interest by the Council or in the exercise of official authority vested in the Council; or**
- **Necessary for the compliance with a legal obligation to which the controller is subject.**

When using CCTV, the Council will have regard to the following legislation:

- European Convention on Human Rights and Human Rights Act 1998,
- Regulation of Investigatory Powers Act 2000;
- Protection of Freedoms Act 2012;
- Freedom of Information Act 2000;
- General Data Protection Regulation and Data Protection Act 2018.

When the Council uses CCTV, we will have regard to and have measures in place to ensure compliance with the [Surveillance Camera Commissioner's Code of Practice](#), which includes twelve principles that need to be adhered to.

The Nottingham City Council CCTV Policy can be found here

<https://www.nottinghamcity.gov.uk/information-for-residents/community/cctv/>

The legislation that contains the powers and functions that require us to process your personal data can be found here <http://documents.nottinghamcity.gov.uk/download/5939>

As the CCTV Camera will capture anything within its field of view, it may capture information that relates to or reveals sensitive information about you. Information captured may include the following special categories of data:

- Race or Ethnic origin;
- Political opinions;
- Religious beliefs;
- Trade Union membership;
- Physical or mental health;

- Sex life or sexual orientation; and
- Biometric data (when used for identification purposes)

The Council uses information in these categories on the basis that such use is

- **Necessary for the purposes of performing or exercising obligations or rights which are conferred by law on the Council or the data subject in connection with employment, social security or social protection; or**
- **Necessary for reasons of substantial public interest:**
 - **For the purposes of preventing and detecting unlawful acts;**
 - **For statutory purposes;**
 - **For protecting the public; and**
 - **For insurance purposes.**

All processing of this kind will be in accordance with the provisions of the General Data Protection Regulation and the Data Protection Act 2018.

The information provided by you may also include criminal data. The basis on which this information is processed is for **statutory reasons of substantial public interest**.

Criminal Investigations

The basis under which the Council uses personal data for this purpose is that this is necessary for law enforcement purposes.

Part 3 of the Data Protection Act 2018 applies to process personal data for 'law enforcement purposes'. When processing personal data for 'law enforcement purposes', the Council are acting as a 'Competent Authority' and have law enforcement powers given to us within the statute.

It covers processing for the prevention, investigation, detection or prosecution of criminal offences, or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security.

In practice, the lawful basis would either be **necessary for the performance of a task carried out for law enforcement purposes by Nottingham city council or based on consent**. There may be circumstances where we obtain consent from the individual whose data we are processing. However, this will only be appropriate in certain circumstances in the context of law enforcement.

As the CCTV Camera will capture anything within its field of view, it may capture information that relates to or reveals sensitive information about you. Special categories of personal data may be relevant for law enforcement purposes when it is in relation to hate crimes, for example. Information captured may include the following special categories of data:

- Race or Ethnic origin;
- Political opinions;
- Religious beliefs;
- Trade Union membership;

- Physical or mental health;
- Sex life or sexual orientation

In order to process this type of data, Nottingham City Council must be able to demonstrate that the processing is strictly necessary and satisfy one of the conditions in Schedule 8 or is based on consent.

The conditions for sensitive processing in Schedule 8 of the Act are:

- necessary for statutory purposes for reasons of substantial public interest;
- necessary for the administration of justice;
- necessary to protect the vital interests of the data subject or another individual;
- necessary for the safeguarding of children and of individuals at risk.'
- personal data already in the public domain (manifestly made public);
- necessary for legal claims;
- necessary for judicial acts
- necessary for the purpose of preventing fraud; and
- necessary for archiving, research or statistical purposes

The Council will mainly process sensitive information **for reasons statutory purposes for reasons of substantial public interest.**

Do you need to provide the information?

You are obliged by statute to provide some of the information that is specified here.

How long will NCC retain the data for?

Most CCTV will usually be kept for no longer than 31 days, unless it is required for further processing to fulfil a Council function (as outlined above) or where it relates to a criminal offence he information.

Our retention period is set out in our [Information Asset Register](#).

Can the information be used for any other purpose?

The information provided by you may also be used for the purpose of any other function carried out by the Council. Information about these functions and the legal basis on which information is used for them can be found at <http://www.nottinghamcity.gov.uk/privacy-statement/>

The information will only be used for another purpose where it is lawful to do so.

The General Data Protection Regulation provides for the following rights as prescribed by the legislation:

- A right to request a copy of your information
- A right to request rectification of inaccurate personal data
- A right to request the erasure of your data known as 'the right to be forgotten.'
- A right to in certain circumstances to request the restriction of processing
- A right in certain circumstances to request portability of your data to another provider
- A right to object to the processing of data in certain circumstances
- A right regarding automated decision making including profiling

The Data Protection Act 2018, part 3, also provides the following rights:

- A right to request a copy of your information

- A right to request rectification of inaccurate personal data
- A right to request the erasure of your data known as ‘the right to be forgotten.’
- A right to in certain circumstances to request the restriction of processing
- A right in certain circumstances to request portability of your data to another provider
- A right not to be subject automated decision making

However, Nottingham City Council can restrict the above rights in certain circumstances, for example, to avoid obstructing an investigation, avoid prejudicing the prevention, detection, investigation or prosecution of criminal penalties or to protect the rights and freedoms of others.

Data Protection Officer

You can contact the data protection officer at:

Loxley House,
Station Street,
Nottingham,
NG2 3NG

Or at data.protectionofficer@nottinghamcity.gov.uk.

Information Commissioner's Office

The Information Commissioner's Office (ICO) website guides data protection and privacy matters; you can visit the website at www.ico.org.uk. You also have the right to complain to the ICO if you consider that the Council have processed your personal data incorrectly or that we have breached our obligations to you. You can contact the ICO at:

Wycliffe House,
Water Lane
Wilmslow,
Cheshire
SK95AF

www.ico.org.uk

Further Information

For more information about these rights, please refer to our detailed privacy statement at <https://www.nottinghamcity.gov.uk/privacy-statement>.