# NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

**CCTV SURVEILLANCE SYSTEM**

**UK GENERAL DATA PROTECTION REGULATIONS**

**SUBJECT ACCESS REQUEST FORM**

**How to Apply For Access to Information Held On the CCTV System**

These notes explain how you can find out what information, if any, is held about you on the CCTV System operated by the Neath Port Talbot County Borough Council (the “data controller”)

# Your Rights

Under the UK General Data Protection Regulations and Data Protection Act 2018 upon making a request to the data controller an individual is entitled:

* To be told by the data controller whether they or someone else on their behalf is processing that individual’s personal data.
* If so, to be given a description of:
1. The personal data.
2. The purposes for which they are being processed.
3. Those to whom they are or may be disclosed
* To be told, in an intelligible manner, of:
1. All the information, which forms any such personal data. This information must be supplied in permanent form by way of a copy, except where the supply of such a copy is not possible or would involve disproportionate effort or the individual agrees otherwise.
2. Any information as to the source of those data. However, in some instances the data controller is not obliged to disclose such information where the source of the data is, or can be identified as, an individual.

A data controller must comply with a subject access request promptly, and in any event within one calendar month of receipt of the request or, if later, within one calendar month of receipt of:

* the information required (i.e. to satisfy himself as to the identity of the person making the request and to locate the information which that persons seeks);

However, unless the data controller has received a request, and, the said information the data controller need not comply with the request.

In relation to the County Borough Council’s CCTV Surveillance System you therefore have a right subject to certain exemptions under the UK General Data Protection Regulations, to be told whether any personal data is held about you on our CCTV System. You also have a right to a copy of that information in a permanent form except where the supply of such a copy is not possible or would involve disproportionate effort, or if you agree otherwise.

The County Borough Council will give you this information upon receipt of an application, within one calendar month of receipt of that request. However, we will only give you this information once we are satisfied as to your identity and your right to receive that information.

In order that these requests can be dealt with efficiently and as swiftly as possible the Council has provided this standard application form for use by members of the public.

# Our Rights

The UK General Data Protection Regulations and Data Protection Act 2018 provides that if release of the information requested will disclose information relating to an individual, other than the individual who has made the request, who can be identified from that information, the Council is not obliged to release that information unless:

* The other individual has consented to the disclosure of the information , or
* It is reasonable in all the circumstances to comply with the request without the consent of the other individual.

The County Borough Council may also deny access to information where provisions of the UK General Data Protection Regulations and Data Protection Act 2018 provide for specific exemptions. The main exemption in relation to our CCTV System is where personal data are held for the purposes of:

* Prevention or detection of crime, or
* apprehension or prosecution of offenders,

in which case we are entitled to withhold personal data from an individual making a subject access request, where it has been adjudged that to disclose the personal data would be likely to prejudice one or both of those purposes.

# Failure to Comply With a Subject Access Request

If an individual believes that the County Borough Council has failed to comply with a Subject Access Request in contravention of the provisions of the UK General Data Protection Regulations they may apply to the Court for an order that the Council should comply with the Request. An Order may be made if the Court is satisfied that the Council has failed to comply with the request in contravention of the Act.

# Further Information

The notes contained in this Form is only a general guide to the rights and obligations set out in the UK General Data Protection Regulations. Further information and advice on the provisions of the regulations and your rights may be obtained from:

The Information Commissioner,

Wycliffe House,

Water Lane,

Wilmslow,

Cheshire,

SK9 5AF

www.ico.org.uk

# Notes on the Application Form

1. While it is not a requirement that a request for this information need be in writing we request that you use the standard form as this will assist us in progressing your application smoothly.
2. All sections of the application form must be completed by the person making an application. Failure to do so may delay the processing of your application.
3. Please ensure that the Declaration in Section 5 is signed and dated by yourself. Failure to do so will delay the processing of your application.
4. When you have completed and checked the application form, take or send it together with the required identification documents to:

The CCTV Manager

Neath Port Talbot County Borough Council

CCTV Control Room

The Quays,

Brunel Way,

Briton Ferry.

SA11 2GG

1. If you have any queries regarding this form or your application, please ring the CCTV Manager on Telephone Number: (01639) 686868.

## CCTV SURVEILLANCE SYSTEM

## NEATH Port Talbot COUNTY BOROUGH COUNCIL

**APPLICATION FORM FOR SUBJECT ACCESS REQUEST**

**Pursuant To the UK General Data Protection Regulations**

 **And**

 **Data Protection Act 2018**

**SECTION 1 about Yourself**

The information requested below is to help the Council (a) satisfy itself as to your identity and (b) find any data held about you on our CCTV System.

PLEASE USE BLOCK LETTERS

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Title**  (tick box as appropriate) | Mr |  | Mrs |  | Miss |  | Ms |  |

|  |  |
| --- | --- |
| **Other title** (e.g. Dr., Rev., etc) |  |
| Surname/family name |  |
| First names |  |
| Sex (tick box) | Male |  | Female |  |

|  |  |
| --- | --- |
| **Height** |  |
| Date of Birth |  |

|  |
| --- |
| **Your Current Home Address** (to which we will reply) |
|  |
|  |
|  |
|  | Post Code |
| A telephone number will be helpful in case you need to be contacted | Tel. No. |

**SECTION 2 Proof of Identity**

1. To help establish your identity your application must be accompanied by **TWO** official certified documents that between them clearly show your name, date of birth and current address.

For example: a birth/adoption certificate, driving licence, medical card, passport or other official document that shows your name and address.

1. Also a recent, full face photograph of yourself must be provided.

## N.B. Failure to provide this proof of identity may delay your application

**SECTION 3 To help us find the Information**

Please provide details of the offence, incident or event to which the request for information relates in order that we may locate the information within our CCTV System.

(A) Date of incident/offence/event:

1. Time of incident(approximate):
2. Place where incident/offence/event occurred:

(I.e. location)

(D) Brief details of incident/offence/event:

1. Were you: (Please tick appropriate boxes)
2. A person reporting an offence or incident? [ ]
3. A witness to an offence or incident? [ ]
4. A victim of an offence or incident? [ ]

4. A person accused or convicted of an offence? [ ]

5. Other? [ ]

If so, please explain

Please continue on a separate sheet if necessary if more than one incident, offence or event is involved.

## SECTION 4 Supply of Information

You have a right, subject to certain exceptions, to receive a copy of the information in a permanent form.

Do you wish to: [please tick boxes as appropriate?]

1. View the information and receive a permanent copy of it [ ]

Or

1. Only view the information [ ]

## SECTION 5 Declaration

**DECLARATION** (to be signed by the applicant)

The information that I have supplied in this application is correct and I am the person to whom it relates.

Signed by: Date:

## Warning – a person who impersonates or attempts to impersonate another may be guilty of an offence

### Checklist for Applicant

Before returning this Application Form please check:

1. Have all the sections been completed?
2. Have 2 identification documents been enclosed?
3. Has a current photograph been enclosed?
4. Has the Declaration (Section 5) been completed?

**OFFICIAL USE ONLY** (Not To Be Completed By the Applicant)

1. Date application received :
2. Application checked and legible :
3. Identification documents checked :
4. Identification documents returned (insert date) :
5. Member of staff completing this section :

Name: Designation:

Signed: Date:

The UK General Data Regulations

The Data Protection Act 2018

Subject Access

This brochure contains advice and information regarding data recorded by the CCTV System and gaining access to that data.

If you wish to exercise your rights of subject access as provided for in Article 15 of the UK General Protection Data Regulations you will be required to make the request in writing on a standard subject access request form.

All requests for subject access will be dealt with by the CCTV Manager or a nominated deputy. A written response to the request will be provided within 21 days of receipt, either setting out the steps intended to be taken to comply with the request or setting out the reasons for refusing the request.

The Information Commissioner has published a Code of Practice for Users of public area CCTV Systems. A copy of this Code can be obtained from the Information Commissioner’s office.

For further information please contact:

The Information Commissioner

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Ico.org.uk

CODE OF PRACTICE

Full details of the principles and criteria under which the Neath Port Talbot County Borough Council CCTV System operates may be found in the Neath Port Talbot County Borough Council CCTV System Code of Practice.

Copies of this Code are available free of charge on application to the CCTV Manager.

*The Purpose for which Images are recorded*

*Recorded Images*

The CCTV System operates 24 hours per day, 365 days of the year. All cameras are continuously recorded in real time on digital hard drive recorders, initially at a rate of 25 frames per second

All recordings are retained for a maximum of 31 days. If no legitimate request for retention of the recordings has been made it is then erased. All requests for retention of recordings are considered against the provisions of the UK General Data Protection Regulations, Data Protection Act 2018 and the Neath Port Talbot County Borough Council CCTV Code of Practice.

The storage, processing and use of recorded data obtained by the CCTV System is guided by the following general principles:

*Recorded data will only be used for the purposes defined in the Code of Practice and in accordance with the UK General Data Protection Regulations and the Data Protection Act 2018.*

*Access to recorded data shall only take place in the circumstances defined in the Code of Practice and the provisions of relevant legislation.*

*Recorded data will not be sold or used for commercial purposes or the provision of entertainment.*

*The showing of recorded data to the public will only be permitted in accordance with the law in relation to the investigation, prosecution or prevention of crime.*

*Data released shall remain the property of Neath Port Talbot County Borough Council.*

*Disclosure Policy*

Disclosure of data obtained by the CCTV System will only be permitted in accordance with the relevant legislation and the criteria contained within the Neath Port Talbot County Borough Council CCTV Code of Practice.

**In every case a written application in an approved format, is required.**