

Duddingston Kirk Edinburgh (Church of Scotland)
Scottish Charity no SC016610
CCTV policy

Policy summary

The Church of Scotland congregation of Duddingston Kirk, Edinburgh “the congregation” has in place a Closed-Circuit Television (CCTV) surveillance system. This policy details the purpose, use and management of the CCTV system and details the procedures to be followed to ensure that the Kirk Session on behalf of the congregation complies with relevant legislation and Codes of Practice where necessary.

This policy and the procedures detailed, applies to all of the congregation’s CCTV systems including covert installations (if any) 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.

This policy was approved by the Kirk Session on 26th November 2024.

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Introduction

1. The congregation uses closed circuit television (CCTV) images for the prevention, identification and reduction of crime and to monitor the congregation's buildings in order to provide a safe and secure environment for the minister, employees, church members, volunteers and visitors and to prevent the loss of or damage to the congregation's contents and property. The CCTV system is owned by the congregation and managed by the Kirk Session and/or its appointed agents on behalf of the congregation. The Kirk Session is the system operator, and data controller, for the images produced by the CCTV system, and is registered with the Information Commissioner's Office via the registration of the Presbytery of Edinburgh and West Lothian on behalf of its congregations. (Registration number Z5659270).
2. The CCTV system is operational and is capable of being monitored for 24 hours a day, every day of the year.

Purpose

3. This Policy governs the installation and operation of all CCTV cameras at the Duddingston Kirk properties site. The CCTV cameras in the Millar Hall/Garden cafe have been adapted so as not to stream audible audio recordings and other cameras have had the audio option disabled. Only in exceptional circumstances and, with the prior approval of the Kirk Session, will the audio feature be restored e.g. during the hours of darkness when buildings are not in use for congregational purposes and when required to aid the apprehension of intruders. In such circumstances the use of any audio recordings will be governed by this policy, appropriately interpreted.
4. CCTV surveillance is used to monitor and collect visual images for the purposes of:
 - protecting the buildings and assets, both during church services and meetings or office hours, and after hours;
 - promoting the health and safety of employees, church members, volunteers and visitors;
 - reducing the incidence of crime and anti-social behaviour (including theft and vandalism);
 - supporting the Police in a bid to deter and detect crime;
 - assisting in identifying, apprehending and prosecuting offenders; and
 - ensuring that the rules are respected so that the site can be properly managed.

Scope

5. This policy applies to Duddingston Kirk and also to any separate legal entities which occupy from time to time premises controlled by the CCTV system.
6. Where a system is jointly owned or jointly operated with such legal entities, the governance and accountability arrangements are agreed between the partners and documented so that each of the partner organisations has clear responsibilities, with

clarity over obligations and expectations and procedures for the resolution of any differences between the parties or changes of circumstance.

7. This policy is applicable to, and must be followed by the minister, all employees and also consultants and contractors. Failure to comply could result in disciplinary action, including, in the case of employees, dismissal. This policy also applies to volunteers, trustees and committee members.
8. The system users involved in the operation of the 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. All systems users with responsibility for accessing, recording, disclosing or otherwise processing CCTV images will have relevant skills and training on the operational, technical and privacy considerations and fully understand the policies and procedures.

Definitions

CCTV – closed circuit television camera. A TV system in which signals are not publicly distributed but are monitored, primarily for surveillance and security purposes and where access to their content is limited by design only to those able to see it.

Covert surveillance - observation, and/or recording, carried out without the subject's knowledge, and may be done using cameras or devices that are not visible to the subject.

Data controller - the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of CCTV images.

Data Protection Act 2018 (DPA) - UK data protection framework, regulating the processing of information relating to individuals and any legislation which may replace it.

Facial/ automated recognition - the use of camera technology to identify individuals' faces and to make automated matches.

ICO CCTV Code of Practice 2017 - recommendations on how the legal requirements of the Data Protection Act 1998 can be met when using CCTV, issued by the Information Commissioner's Office. The guidance will be updated to comply with current legislation.

System Operator - person or persons that take a decision to deploy a surveillance system, and/or are responsible for defining its purpose, and/or are responsible for the control of the use or the processing of images or other information obtained by virtue of such system.

System User - person or persons who may be employed or contracted by the system operator who have access to live or recorded images or other information obtained by virtue of such a system.

Policy

Policy statement

10. The Kirk Session will operate its CCTV system in a manner that is consistent with respect for the individual's privacy.

11. The Kirk Session complies with Information Commissioner's Office (ICO) CCTV Code of Practice 2017 to ensure CCTV is used responsibly and safeguards both trust and confidence in its continued use.
12. The CCTV system will be used to observe the areas under surveillance in order to identify incidents requiring a response. Any response should be proportionate to the incident being witnessed.
13. The use of the CCTV system will be conducted in a professional, ethical and legal manner and any diversion of the use of CCTV security technologies for other purposes is prohibited by this policy.
14. Cameras will be sited so they only capture images relevant to the purposes for which they are installed. In addition, equipment must be carefully positioned to:
 - cover the specific area to be monitored only;
 - keep privacy intrusion to a minimum;
 - ensure that recordings are fit for purpose and not in any way obstructed (e.g. by foliage);
 - minimise risk of damage or theft.
15. CCTV will not be used for the purposes of recording or streaming live services held in the church.

Location and signage

16. Cameras are sited to ensure that they cover the premises as far as is possible. Cameras are installed throughout the site/s including the church, the Miller Hall, the car park, manse and other premises, within buildings and externally in vulnerable public facing areas.
17. The location of equipment is carefully considered to ensure that images captured comply with data protection requirements. Every effort is made to position cameras so that their coverage is restricted to the congregation's premises, including outdoor areas.
18. Signs are placed at all pedestrian and vehicular entrances in order to inform staff, church members, visitors, those hiring parts of the Church site and members of the that CCTV is in operation.
19. The signage indicates that monitoring and recording is taking place, for what purposes, the hours of operation, who the system owner is and where complaints/questions about the systems should be directed.

Monitoring and recording

20. Cameras are monitored in a secure private office.
21. Images are recorded on secure servers and are viewable by those persons("the Authorised Officials") listed in Appendix A which list shall be regularly reviewed and updated by the Kirk Session. Additional staff and church officials may from time to time be authorised by the minister to monitor cameras sited on a view only basis. Authorised Officials must be and continue to be compliant with the Church's Safeguarding Policy. When Cloud-based storage is used the Session will ensure that such storage is located in the European

Economic Area (EEA), and that all relevant security and data protection measures are in place.

22. Recorded material will be stored in a way that maintains the integrity of the image and information to ensure that metadata (e.g. time, date and location) is recorded reliably, and compression of data does not reduce its quality.
23. Viewing monitors should be password protected and switched off when not in use to prevent unauthorised use or viewing.
24. The cameras installed provide images that are of suitable quality for the specified purposes for which they are installed and all cameras are checked regularly to ensure that the images remain fit for purpose and that the date and time stamp recorded on the images is accurate.
25. All images recorded by the CCTV System remain the property and copyright of the congregation

Covert surveillance

26. Covert surveillance is the use of hidden cameras or equipment to observe and/or record the activities of a subject which is carried out without their knowledge. We will not use covert surveillance.

Facial Recognition

27. Where cameras are used to identify people's faces, the Kirk Session will ensure that high quality cameras are used to make sure we are capturing the individual accurately enough to fulfil the intended purpose. The results of this automatic matching will be monitored by a trained individual to ensure that there have not been any mismatches.
28. Any use of such automated technologies must involve some level of human interaction and should not be done on a purely automated basis.

Data Protection

29. In its administration of its CCTV system, the congregation complies with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 and in accordance with the congregation's Data Protection Policy.

Data Protection Impact Assessments

30. The CCTV system is subject to a Data Protection Impact Assessment. Any proposed new CCTV installation will be subject to a Data Protection Impact Assessment identifying risks related to the installation and ensuring full compliance with data protection legislation. This will include consultation with relevant internal and external stakeholders.

Applications for disclosure of images

- 31 Requests by individual data subjects for images relating to themselves via a Subject Access Request should be submitted to the Minister together with proof of identification and shall be dealt with in accordance with the Church of Scotland's recommended procedures.
- 32 In order to locate the images on the 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.
- 33 Where the congregation 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.
- 34 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.
- 35 Such disclosures will be made at the discretion of the Minister in consultation with the Church of Scotland Data Protection Officer with reference to relevant legislation and where necessary, following advice from the Church of Scotland Law Department.
- 36 Where a suspicion of misconduct arises and at the formal request of the Investigating Committee, the Minister may provide access to CCTV images for use in staff disciplinary cases.
- 37 A log of any disclosure made under this policy will be held by the Minister/Church Secretary itemising the date, time, camera, requestor, reason for the disclosure; requested; lawful basis for disclosure; date of decision and/or release, name of authoriser.
38. Before disclosing any footage, consideration should be given to whether images of third parties should be obscured to prevent unnecessary disclosure.
39. Where information is disclosed, the disclosing officer must ensure information is transferred securely.
40. Images may be released to the media for purposes of identification. Any such decision to disclose will be taken in conjunction with the Police and/or other relevant law enforcement agencies.
41. Surveillance recordings must not be further copied, distributed, modified, reproduced, transmitted or published for any other purpose.

Retention of images

42. Unless required for evidentiary purposes, the investigation of an offence or as required by law, CCTV images will be retained for no longer than 31 calendar days from the date of recording. Images will be automatically overwritten or destroyed after this time.

43. Where an image is required to be held in excess of the retention period the Minister will be responsible for authorising such a request, and recordings will be protected against loss or held separately from the surveillance system and will be retained for 6 months following date of last action and then disposed of.
44. Images held in excess of their retention period will be reviewed on a three-monthly basis and any not required for evidentiary purposes will be deleted.
45. Access to retained CCTV images is restricted to the Authorised Officials and other persons as required and as authorised by the Minister.

Complaints Procedure

46. Complaints concerning the congregation's use of its CCTV system or the disclosure of CCTV images should be made to the Session Clerk.

Review Procedure

47. There will be a regular review of the use of the CCTV system to ensure it remains necessary, proportionate and effective in meeting the stated purposes.
48. As part of the review of the Kirk Session will assess:
 - whether the location of cameras remains justified in meeting the stated purpose and whether there is a case for removal or relocation;
 - the monitoring operation, e.g. if 24 hour monitoring in all camera locations is necessary or whether there is a case for reducing monitoring hours;
 - whether there are alternative and less intrusive methods to achieve the stated purposes.

Responsibilities

49. On a day to day basis the Minister on behalf of the Kirk Session 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.
50. The Minister is responsible for ensuring that adequate signage is erected in compliance with the ICO CCTV Code of Practice.
51. The Minister is responsible for authorising the disclosure of images to data subjects and third parties and the Church Secretary for maintaining the disclosure log.

Appendix A

List of Authorised Persons	Date Authorised			
The Minister, Rev Dr James Jack				
The Church Secretary, Mrs Lucy Murphy				
The Church handyman, Davy Paterson				
The Organist, Mr John Anderson				
Mr Howard Jones				

Version no. of Policy	Revision date	Previous revision date	Summary of changes