

Policy - Non-networked CCTV

1.0 Introduction

- 1.1 Belfast Harbour Commissioners (**BHC**) uses and operates closed circuit television equipment (**CCTV Equipment**). BHC's CCTV Equipment falls into one of the following categories:
- networked CCTV Equipment (**Networked CCTV Equipment**) in respect of which the images produced by the Networked CCTV Equipment are monitored by BHC in real-time; and
 - non-networked CCTV Equipment (**Non-networked CCTV Equipment**) in respect of which the images produced by the Non-networked CCTV Equipment (**Images**) are stored on the local storage device pertaining to the relevant Non-networked CCTV Equipment (**Local Storage Device**) and will need to be downloaded from that Local Storage Device to be viewed.
- 1.2 This Policy sets out the terms governing the use and management of the Non-networked CCTV Equipment and the Images only. For the avoidance of doubt, the Networked CCTV Equipment and the images produced by the Networked CCTV Equipment are governed by a separate policy (Policy - Networked CCTV).
- 1.3 The Non-networked CCTV Equipment is used in connection with certain premises and certain plant & equipment which is in each case owned and/or operated by BHC from time to time, including (but not limited to) Workplaces, storage facilities (interior and exterior), vehicles, vessels and cranes.
- 1.4 BHC uses the Non-networked CCTV Equipment for the following purposes (**Purposes**):
- to safeguard the health and safety of employees, operators, users, contractors and members of the public;
 - to assist in the prevention and investigation of accidents, incidents, near misses;
 - to investigate the circumstances surrounding insurance claims;
 - to identify and prevent dangerous or unsafe conditions and acts or omissions;
 - to ensure the security of BHC's property and assets;
 - to deter crime;
 - to assist in the prevention, investigation and detection of crime and suspected crime; and
 - to assist in the identification, apprehension and prosecution of offenders.

- 1.5 For the purposes of this Policy, BHC's Operations Engineering Manager will act as the manager of the Non-networked CCTV Equipment (**System Manager**).
- 1.6 This Policy sets out the terms governing the use and management of the Non-networked CCTV Equipment and Images in order to ensure compliance by BHC with the Data Protection Act 1998 (**DPA**), Human Rights Act 1998, the Regulation of Investigatory Powers Act 2000 and other relevant legislation.
- 1.7 The DPA requires all processing of personal data including video/digital recordings to conform to the data protection principles set out in the DPA. For the purposes of the DPA, BHC will be and remain the data controller of any personal data contained within the Images, and BHC is registered with the Information Commissioner's Office under registration number Z5944737.
- 1.8 This Policy complies with the Information Commissioner's CCTV Code of Practice.

2.0 Purpose & Responsibilities

- 2.1 The Non-networked CCTV Equipment will be used and operated by BHC for the Purposes in accordance with this Policy (including, but not limited to, the procedures for use set out in Appendix 1) and the law.
- 2.2 The roles and responsibilities of BHC personnel in connection with this Policy are set out in Appendix 2.
- 2.3 The Non-networked CCTV Equipment will not be used for covert surveillance.

3.0 Checks

- 3.1 Checks will be carried out on a regular basis to ensure that the Non-networked CCTV Equipment is operating correctly and to ensure the integrity of the Images. This will involve downloading and viewing Images from Local Storage Devices during periods selected by BHC, but will be carried out by BHC's authorised personnel only as detailed in Appendix 2.
- 3.2 The Non-networked CCTV Equipment will not be used for targeted monitoring of employees of BHC or any authorised operator, user or contractor. However, if while carrying out the Non-networked CCTV Equipment checks, poor health and safety practice, unsafe behaviour or acts of misconduct are observed, then under the statutory duty of care prescribed in the Health and Safety at Work (Northern Ireland) Order 1978, the appropriate person(s) will be informed.

4.0 Employee Enquiries and Health and Safety concerns

- 4.1 If an employee of BHC or any authorised operator, user or contractor has any health and safety concerns that may be informed by a review of the Images, then any request to view those Images from the relevant Local Storage Device should

be addressed and made to the System Manager via the relevant employee's line manager.

5.0 Non-networked CCTV Equipment Specification

- 5.1 The Non-networked CCTV Equipment may include (but is not limited to) the following components:
- Internal and external mounted cameras;
 - Digital Video Recorder (**DVR**) fitted with Local Storage Device; and
 - Internal mounted monitor.
- 5.2 The Non-networked CCTV Equipment will record over a 6 month cycle (approximate), after which the oldest records will be automatically overwritten.
- 5.3 The specification of the Non-networked CCTV Equipment will vary, however, where a DVR is fitted with a Local Storage Device, then that Non-networked CCTV Equipment will record images from its camera(s) from the time that the relevant plant & equipment is energised until the time that the relevant plant & equipment is de-energised.
- 5.4 The Local Storage Device will in each case be secured in a locked compartment or tamper-proof cabinet. Keys to the cabinet must be kept secure, and access restricted to BHC's authorised personnel.

6.0 Camera Positioning

- 6.1 The Non-networked CCTV Equipment will in each case comprise one or more high resolution cameras. This may include forward-facing cameras.
- 6.2 BHC will take all reasonable steps to ensure that the Non-networked CCTV Equipment cameras will be positioned to:
- provide the most appropriate coverage in and/or around the relevant operational area; and
 - record Images relevant to the Purposes.
- 6.3 The Non-networked CCTV Equipment cameras are fixed in position during the installation of the Non-networked CCTV Equipment by the installation engineers, and shall remain in those positions. In the event that the cameras have moved out of alignment, this must be reported as soon as possible to the System Manager.

7.0 Privacy

- 7.1 BHC will take all reasonable steps to ensure that the cameras will not be intentionally or deliberately intrusive of private premises.

8.0 Public Information

- 8.1 Any premises or plant & equipment in or to which Non-networked CCTV Equipment has been fitted will display clear and visible signs informing employees, operators, users and contractors that Images are being recorded. The signs will include a contact telephone number for BHC.

9.0 Image Security

- 9.1 All Images produced by the Non-networked CCTV Equipment will be stored by BHC on the relevant Local Storage Device subject to appropriate encryption and/or password protection.

10.0 Data Security

- 10.1 Access to data stored on the Local Storage Device will be restricted to BHC's authorised personnel only.
- 10.2 Access to the DVR is password protected.
- 10.3 The Non-networked CCTV Equipment is compliant with BS7799-2.
- 10.4 Video footage exported to media or executable files will only be stored on a dedicated secure area of the BHC computer network, access to that secure area will be restricted in accordance with the allocated roles and responsibilities set out in Appendix 2 of this Policy.

11.0 Recording of Access

- 11.1 A log book must be maintained by the System Manager to record all viewings of Images, whether these are viewed for Non-networked CCTV Equipment checks or as a result of a request for information. Details must be kept of the date and time that the viewing took place, the Local Storage Device viewed, the premises or plant & equipment to which the relevant Local Storage Device pertains, the period viewed, the individuals viewing the file and the action to be taken as a result.

12.0 Subject Access

- 12.1 The DPA gives individuals the right to make a request to any data controller seeking access to any personal data about themselves that is processed by that data controller, including Images (**Subject Access Request**).
- 12.2 All Subject Access Requests should be made to BHC's Data Protection Officer (who holds a central log of Subject Access Requests) and will be dealt with in accordance with the DPA and the guidelines set out in BHC's Data Protection Policy in force from time to time.

13.0 Complaints

- 13.1 Complaints and enquiries about the operation of Non-networked CCTV Equipment should be addressed in the first instance to the System Manager.
- 13.2 If the individual is not satisfied with the response that he/she receives from the System Manager in relation to any complaint, he/she should address the complaint to BHC's Data Protection Officer.
- 13.3 Enquiries relating to the DPA should be addressed in the first instance to BHC's Data Protection Officer.



Roy Adair, CBE
Chief Executive Officer

Appendix 1

Procedure for use

1.1 Monitoring

Periodic checks to ensure that each unit of the Non-networked CCTV Equipment is operating correctly will be carried out by the authorised personnel detailed in Appendix 2. A number of units will be selected at random, the checks will be recorded in a register and will detail:

- the premises or plant & equipment identification and/or description;
- the period viewed;
- time and date viewed;
- comments or actions that are required; and
- name of viewer

1.2 Health and Safety or Disciplinary Incident arising from Monitoring

If a Health and Safety issue or a potential breach of the rules that could lead to a disciplinary investigation arises from any Non-networked CCTV Equipment check, the incident will be viewed by the System Manager/ Harbour Master and/or Compliance Manager or other appointed officer and appropriate action taken.

1.3 Health and Safety Concerns or Misconduct

Any actual or suspected breach of Health and Safety requirements or acts of misconduct will be investigated under the statutory duty of care prescribed in the Health and Safety at Work (Northern Ireland) Order 1978, which will include the viewing of recorded Images by the investigating officer who may require the individual who has reported the breach to verify the Images.

1.4 Third Party Requests

Requests to view files may be received from the following third parties.

- Belfast Harbour Police/ PSNI (**Police**)
- Health & Safety Executive Northern Ireland
- Solicitors
- Claimants in civil proceedings
- Accused persons or defendants in criminal proceedings
- Other agencies.

Reasons for the requests may include (but are not limited to):

- Providing evidence in criminal proceedings
- Providing evidence in civil proceedings or tribunals
- The prevention of crime
- The investigation and detection of crime, which may include the identification of offenders
- The identification of witnesses

Images may be viewed if there is an urgent request from the Police. These are to be logged in the register.

Where third parties other than the Police make a request to view the files, then if this is due to a criminal incident this will be reported to the Police.

Requests by third parties to view Images for other reasons will be processed in accordance with applicable statutory and regulatory requirements relating to the release of data to third parties. This requires consideration of legislation such as the Human Rights Act 1998 and the DPA. Such cases will be managed in conjunction with the BHC Compliance Manager and BHC's Data Protection Officer.

1.5 Training Purposes

Relevant extracts of recordings may be used during internal training sessions to demonstrate both good and bad practice.

1.6 Authorised person to download Images

Images may be downloaded as a result of any of the instances above.

The Images so downloaded from the relevant Local Storage Device can only be accessed using the appropriate software. This software will only be loaded onto authorised officers' PC's/BHC secure network laptops as detailed in Appendix 2.

1.7 Saving & Viewing Images

In order to make specific Images available for viewing, it is necessary for the Images to be exported to a readily available format.

The Images will be saved to a secure area of the BHC network accessible to BHC's authorised personnel only.

Appendix 2

Roles and Responsibilities.

Responsible Officer	Responsibilities
Operations Engineering Manager	<p>System Manager</p> <p>System Checks, downloading and copying Images</p> <p>Key holder for secure compartments</p>
<p>Operations Engineering Manager</p> <p>Compliance Manager</p> <p>Harbour Master</p> <p>Chief Officer of Belfast Harbour Police (and their designated deputy in each case)</p>	<p>Investigating actual or suspected breach(es) of Health and Safety practice or acts of gross misconduct under the statutory duty of care prescribed in the Health and Safety at Work (Northern Ireland) Order 1978.</p> <p>Downloading and copying of Images</p>
<p>Operations Engineers</p> <p>Lead Technician,</p> <p>Harbour Master/Deputy Harbour Master</p> <p>Compliance Manager/Officer</p> <p>Port Operations Superintendents</p> <p>HR Staff</p> <p>Senior Management Team</p> <p>Other personnel approved by the Harbour Master/Chief Officer of Belfast Harbour Police/Compliance Manager</p>	Viewing of Images and saved files
Operation Engineers/Lead Technicians/Technicians and Non-networked CCTV Equipment users	Reporting of faulty Non-networked CCTV Equipment or misaligned cameras
Data Protection Officer	<p>Implementing and monitoring the policies and procedures that BHC has in place from time to time to ensure ongoing compliance with DPA</p> <p>Processing Subject Access Requests and complaints escalated from the System Manager</p>