

Privacy notice 24: CCTV

Date completed 11/04/2023

This notice is one of a set which explain what data we collect, store and process to provide our services to customers. It also sets out the legal basis we are using for collecting and processing the data listed below.

It should be read alongside the related privacy notices listed below, all of which can be found here: <https://www.kent.fire-uk.org/privacy-policy>

- The overall privacy notice
- The CCTV Policy (copy available on request)
- The breach process contained in Annex 1 of the Data Protection and Information Security Policy which sets out what we will do should any data we collect be lost or misused. This can be found here: <https://www.kent.fire-uk.org/freedom-information-foi>

Our contact details

Kent Fire and Rescue Service
The Godlands
Straw Mill Hill
Tovil
Maidstone
ME15 6XB

Email: data.protection@kent.fire-uk.org

Telephone: 01622 692121

Why we collect and use personal data

This notice covers data collected from CCTV (closed circuit television) cameras fitted to the exterior of various buildings across our estate and on all of our fire engines and some other vehicles, including response cars and the Command Support Units.

CCTV is fitted to our buildings and vehicles where we of the view that it is lawful and proportionate to do in order to achieve one or more of the following aims:

- Protecting our buildings and assets
- Preventing and detecting crime
- Minimising insurance losses resulting from damage to our vehicles
- Increasing the safety of visitors and employees
- Managing and evaluating emergency incidents and fire scene investigation

We will not engage in the covert surveillance of employees (colleagues), volunteers, contractors, visitors or members of the public.

We have a clear basis and purpose for the processing of any personal information that may be captured on CCTV systems. This covers what is recorded, how material is stored, how it is used, to whom it may be disclosed and how long it will be retained for.

There are documented procedures (set out in the CCTV Policy) for how information will be handled, including in response to requests from the police and other law enforcement agencies, official and or legal representatives, insurers, members of the public and our own employees.

We use signs at the entrances to our buildings and on our vehicles to inform people that CCTV is being used. Where it is not practicable to do this (i.e. with drones), we will issue a notification on our website and via social media.

The types of personal data we collect and process

Live video recording images of potentially identifiable individuals and vehicles from CCTV fitted to our buildings and vehicles, including drones.

Our lawful reasons for collecting and processing personal data

The six lawful bases for processing personal data are set out in [Article 6\(1\) of the UK GDPR](#). These are as follows:

- (a) Consent:** the individual has given clear consent for you to process their personal data for a specific purpose.
- (b) Contract:** the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
- (c) Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations).
- (d) Vital interests:** the processing is necessary to protect someone's life.
- (e) Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- (f) Legitimate interests:** the processing is necessary for your legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. NB: This cannot apply if you are a public authority processing data to perform your official tasks.

In operating CCTV we will collect and use personal data. We will rely on the following lawful bases:

- **Public task** as set out in [Article 6\(1\)\(e\) of the UK GDPR](#). This states that the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

Performance of a task carried out in the public interest or in the exercise of official authority requires a separate basis in law. This comes from the following:

- Our compliance with the requirements of [Part 2 of the Fire and Rescue Services Act 2004](#) for fire and rescue authorities to make provision for fire safety, fire-fighting, road traffic accidents and other emergencies. The ability to use CCTV for the purposes set out at the start of this document is an important function in meeting these requirements.

Special category data

Article 9 of the UK GDPR covers special category data. Special category data is personal data that needs more protection because it is sensitive. The nine types of special category data are as follows:

- personal data revealing racial or ethnic origin;
- personal data revealing political opinions;
- personal data revealing religious or philosophical beliefs;
- personal data revealing trade union membership;
- genetic data;
- biometric data (where used for identification purposes);
- data concerning health;
- data concerning a person's sex life
- data concerning a person's sexual orientation

Among the data listed above that we might collect, the following types meet the definition of 'special category data' as set out in Article 9 of the UK GDPR:

- disability
- pregnancy and maternity
- race
- religion or belief
- sexual orientation
- health data (injuries, treatment given my KFRS staff, medical conditions/physical and cognitive impairments)

However, none of the data listed above would be collected as part of this processing, meaning the additional responsibilities necessitated when processing Article 9 special category data are not applicable to this context.

Who might we share your data with?

CCTV footage may be shared internally with departments undertaking investigations under our code of conduct for staff, or as part of an accident investigation.

CCTV footage will be shared with the police, courts and other law enforcement agencies. They will need to show proof of the requester's entitlement to the data and give us a legal reason to provide it.

We will also share CCTV footage with insurers as part of any insurance and liability investigations that they may be undertaking.

We will not release any CCTV to individuals, members of the public or our colleagues (including volunteers). We will only consider release of CCTV footage to an official and or legal representative acting on their behalf (e.g. solicitor, insurer). Any such representative must be able to state proof of entitlement to the CCTV footage, give us a legal reason to provide it, proof of the requester's identification and include a letter of authority to confirm they are acting on the requester's behalf.

Where is the data stored?

For buildings CCTV footage is saved to a hard disk drive within a unit containing an integrated display which is located within each building.

For vehicles CCTV footage is saved to a hard disk drive within each vehicle.

All copies of CCTV footage shared with partner and external agencies is stored within KFRS' document management system, which is hosted on a cloud-based server system. Access to the data is restricted to those that require it for their role.

How long will we hold your data for?

CCTV footage for buildings and vehicles will be retained in accordance with the periods set out in section 1 of KFRS' Publication and Retention Scheme (<https://www.kent.fire-uk.org/freedom-information-foi>)

What are my data protection rights?

Under data protection law, you have the following rights:

Your right of access

You have the right to ask us for copies of your personal information. You can ask to see it by making a subject access request. Guidance for making a request is available here: <https://www.kent.fire-uk.org/freedom-information-foi>

Your right to rectification

You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure

You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing

You have the right to ask us to restrict the processing of your personal information in certain circumstances.

Your right to object to processing

You have the the right to object to the processing of your personal information in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

If you wish to make a request, please contact us at:

Email: data.protection@kent.fire-uk.org

Telephone: 01622 692121

Address:

Kent Fire and Rescue Service
The Godlands
Straw Mill Hill
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Maidstone
ME15 6XB

How to complain

If you have any concerns about our use of your personal information, you can make a complaint to us using the contact information above.

You can also complain to the ICO if you are unhappy with how we have used your data.

The ICO's address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>