**Drafting Notes**

These notes in red should be deleted from the finished privacy notice and are only for your information to aid completing and amending the privacy notice ready for your organisation’s use.

**Background**

This usage sign and privacy notice is intended to make members of the public (*i.e. non-employees/members who have already been provided with information about the use of CCTV in the relevant privacy notice provided to them (****see template privacy notices for more detail****))* aware of how their personal data is being captured by any CCTV system and what personal data relating to them is being processed.

The obligation to provide a CCTV usage sign and privacy notice only applies to ***data controllers*** so it is important to establish first and foremost whether you are the controller of any CCTV system you have in place, before using this privacy notice. If you are not a data controller then this usage sign and privacy notice will not be applicable to your organisation.

**Are you a data controller of the CCTV system?**

A data controller is defined as ‘*a 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 personal data’ whereas a data processor is defined as ‘a natural or legal person, public authority, agency or other body which processes personal data on behalf of the data controller’.* So a data controller is the person that controls how the data is used and processed.

Where you have outsourced the supply of your CCTV system to a third party operator, there are three possible scenarios, either:

1. the third party service provider is the data controller of the personal data captured by the CCTV system (in which they are under the obligation as the data controller to provide the privacy notice);
2. your organisation is the data controller and the third party CCTV provider is processing the personal data captured by the CCTV system on your behalf as a manager/operator of the system; or
3. your organisation is acting as a joint controller with the third party CCTV provider.

The question to ask of your CCTV operator is whether your organisation has full control over the data captured by the system, in which case your organisation is a data controller or whether your organisation is limited in its control and is simply able to request certain parts of the footage from time to time in the event of a theft or other incident, for example, in which case you will not be a data controller.

There is also the possibility that your organisation and the operator may be operating the CCTV system together as joint data controllers (i.e. you are both able to determine how the CCTV images are used), in which case, as you are both data controllers, both parties are under an obligation to provide the usage sign and notice. In this scenario, the parties should decide between themselves who should provide the notice and public sign, but as the notices will appear on your organisation’s premises, it would be advisable to maintain control over the look and feel of the sign by suggesting that a public sign such as the one prepared below is used.

**CCTV USAGE**

*[A notice of the type below should appear in prominent locations around the perimeter and within the area under CCTV surveillance so that any individual coming into and moving around within the CCTV area has the opportunity to see the signs. The image is an example, only the wording is specific. The notice should be clearly visible and legible bearing in mind the different individuals in the area, e.g. pedestrians or car drivers.*



**The controller of the images and personal information captured using the CCTV covered by this notice is Hutton Cricket Club The images and personal information are captured using our CCTV system for the purpose of security, crime detection, public safety and other legitimate reasons set out in our privacy notice.**

**This privacy notice can be found online at** [**https://www.huttoncc.com/pages/page\_35961/hutton-policies.aspx#CCTV**](https://www.huttoncc.com/pages/page_35961/hutton-policies.aspx#CCTV) **or copies are available upon request. Please contact Hutton Cricket Club’s [Honorary Secretary by email at** [**secretary@huttoncc.com**](mailto:secretary@huttoncc.com) **or by post at Hutton Cricket Club, Hall Green Lane, Brentwood, Essex CM13 2QT or Telephone 01277 219864 if you would like a copy of this privacy notice sent to you, you have any queries or wish to exercise any of your rights in relation to your personal data. Please see the privacy notice for further details.**

**Data Protection – CCTV Privacy Notice**

**Hutton Cricket Club**

This notice sets out how **Hutton Cricket Club** uses your personal information which may be recorded on our CCTV system. This notice explains how we comply with the law on data protection and what your rights are and for the purposes of data protection laws we will be the controller of any of your personal information recorded on our CCTV system.

We have not appointed a Data Protection Officer to oversee our compliance with data protection laws as we not required to do so, but our Honorary Secretary has overall responsibility for data protection compliance in our organisation. Contact details are set out in the “**Contacting us**” section at the end of this privacy notice.

1. **What information may we hold / process that will relate to you?**

We may collect from you video recordings and still pictures which feature you if you are in the field of vision of any of our CCTV system. This personal information may include your activities, your face, car registration details and other visual information about you which is recorded on our CCTV system.

We may also collect personal information about you if you, your representative or a person authorised by you contacts us regarding an enquiry, complaint or other communication.

1. **What do we do with your personal information?**

As the data controller we will collect personal information on our CCTV system and use it for the following purposes:

* For the prevention and detection of crime
* For evidence in any civil or criminal legal proceedings
* To assist in investigations
* For safety and security
* Dealing with any queries, complaints or enquiries
* Retaining records

As well as being the purposes for which we use your personal information, all of the above are also legitimate reasons for us to use and store personal information relating to you which is captured on our CCTV system and legitimate interests is our legal basis for processing your personal information.

We may anonymise any of the personal information we hold on our CCTV system (so that it does not directly identify you, for example by obscuring your face) and it therefore ceases to be your personal information. We may use this anonymised information for any other purposes.

1. **Who we share your personal information with**

We share your personal information with the following parties:

* **Suppliers** **and service providers**: to manage and operate the CCTV system as our data processor.
* **Joint data controllers**: who may jointly operate and maintain the CCTV system with us.
* **The police and other law enforcement agencies:** to carry out policing, assist investigations, trace missing people and investigate alleged criminal activities.
* **The security services:** where relevant for matters of national security.
* **People who have been injured, attacked or had property damaged or stolen and their insurance providers:** to assist them with any criminal or civil investigations or legal proceedings.
* **People who have been involved in road traffic accidents and their insurance providers:** to assist with insurance claims, legal claims and investigations.
* **Private and other investigators:** to aid their investigations.
* **Any relevant regulators:** where we are required to do so by law or to assist with their investigations or initiatives, and this includes but is not limited to the Information Commissioner's Office.

We do not disclose personal information to anyone else except as set out above unless we have your consent or we are legally obliged to do so. We do not sell your data.

1. **Transferring your personal information internationally**

The personal information we collect about you is not transferred to or stored in countries outside of the UK or European Union except as set out in this section.

Our directors and other individuals working for us may in limited circumstances access personal information outside of the UK and European Union if they are on holiday abroad outside of the UK or European Union. If they do so they will be using our security measures and will be subject to their arrangements with us which are subject to English Law and the same legal protections that would apply to accessing personal data within the UK.

In limited circumstances the people to whom we may disclose personal information from our CCTV system as mentioned in section 3 above may be located outside of the UK and European Union. In these cases we will impose any legally required protections to the personal information as required by law before it is disclosed.

If you require more details on the arrangements for any of the above then please contact us using the details in the “**Contacting us**” section below.

1. **How long do we keep your personal information for**

We will keep your personal information for up to approximately 35 days after the recording was made. After this time the recording stored on the hard drive of our CCTV system will usually be overwritten. However if we receive an enquiry about a particular recording on our CCTV we will generally then retain that part of the recording until it is no longer required. This period can vary as it will depend upon the circumstances of the particular case, but for criminal or civil legal proceedings this could mean that the personal information is retained until after the legal case and any appeals have been concluded, which may be many years. As soon as it is no longer required we will then delete the personal information.

**Your rights in relation to your personal information**

You have the following rights in relation to your personal information:

* the right to be informed about how your personal information is being used;
* the right to access the personal information we hold about you;
* the right to request the correction of inaccurate personal information we hold about you;
* the right to request the erasure of your personal information in certain limited circumstances;
* the right to restrict processing of your personal information where certain requirements are met;
* the right to object to the processing of your personal information;
* the right to request that we transfer elements of your data either to you or another service provider; and
* the right to object to certain automated decision making processes using your personal information.

You should note that some of these rights may not always apply as they have specific requirements and exemptions which apply to them and they may not apply to personal information recorded and stored in our CCTV system and also other of these rights will not be relevant to personal information stored in a CCTV system.

There is no legal, contractual or other requirement or obligation for you to provide our CCTV system with your personal information.

More information about your legal rights can be found on the Information Commissioner’s website at https://ico.org.uk/for-the-public/.

To exercise any of the above rights, or if you have any questions relating to your rights, please contact us by using the details set out in the "**Contacting us**" section below.

If you are unhappy with the way we are using your personal information you can also complain to the UK Information Commissioner’s Office or your local data protection regulator in the European Union if you are based outside the UK or bring a claim in the courts. However we are here to help and would encourage you to contact us to resolve your complaint first.

1. **Changes to this notice**

We may update this privacy notice from time to time. You are encouraged to regularly check for any updated version of this privacy notice.

1. **Contacting us**

In the event of any query or complaint in connection with the personal information we hold about you or if you would like more information about or to exercise your rights, you can contact our Honorary Secretary. Please email secretary@huttoncc.com or write to us at: Hutton Cricket Club, Hall Green Lane, Brentwood, Essex CM13 2QT

**Hutton Cricket Club, Hall Green Lane, Brentwood, Essex CM13 2QT**

**Version dated February 2020**