

Data Protection (Bailiwick of Guernsey) Law 2001

## **Compliance advice**

### *CCTV Small User Checklist*

#### **Introduction**

This checklist is designed to help operators of small CCTV systems comply with the legal requirements of the Data Protection (Bailiwick of Guernsey) Law 2001 and it details the main issues that need to be addressed when operating a CCTV system. When used as part of a regular review process it should help to ensure that the CCTV system remains compliant with the requirements of the Law.

It is important that the Data Protection Law is complied with because failure to do so may result in action being taken under this Law. Failure to comply with Data Protection requirements will also affect the police's ability to use the CCTV images to investigate a crime and may hamper the prosecution of offenders.

If you use a CCTV system in connection with your business you should work through the checklist and address all the points listed. This will help to ensure that your CCTV system remains within the law and that images can be used by the police to investigate crime.

CCTV operators who are registered under the 1986 Data Protection Law are not required to notify the Commissioner until their current registration expires but they must comply with the requirements of the new law in relation to this type of data processing.

#### **Office of the Data Protection Commissioner**

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## CCTV Small User Checklist: Operation of the CCTV System

This CCTV equipment and the images recorded by it are controlled by ..... who is responsible for how the system is used and for the notifying the Data Protection Commissioner about the CCTV system and its purpose (this is a legal requirement of the Data Protection (Bailiwick of Guernsey) Law 2001.

The above controller has considered the need for using a CCTV system and has decided it is required for the prevention and detection of crime and for protecting the safety of customers. It will not be used for other purposes.

	Checked (Date)	By	Date of next review
The controller is aware that notification to the Data Protection Commissioner is necessary and must be renewed annually.			
Notification has been submitted to the Data Protection Commissioner and the next renewal date recorded			
Cameras have been sited so that their images are clear enough to allow the police to use them to investigate a crime.			
Cameras have been positioned to avoid capturing the images of persons not visiting the premises.			
There are signs showing that a CCTV system is in operation visible to people visiting the premises and the controllers contact details are displayed on the sign where it is not obvious who is responsible for the system.			
The recorded images from this CCTV system are securely stored, where only a limited number of authorised persons may have access to them			
The recorded images will only be retained long enough for any incident to come to light (e.g. for a theft to be noticed).			
Recordings will only be made available to law enforcement agencies involved in the prevention and detection of crime, and no other third parties.			
The operating equipment is regularly checked to ensure that it is working properly (e.g. the recording media used is of an appropriate standard and that features on the equipment such as the date and time stamp are correctly set).			
The controller knows how to respond to requests from individuals for access to images relating to that individual. If unsure the controller knows to seek advice from the Data Protection Commissioner as soon as such a request is made.			

**Please keep this checklist in a safe place until the date of the next review.**