

Selby District Council

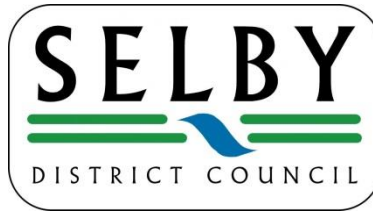
Surveillance Overview

Document Control

Document Control Organisation	Selby District Council
Title	Surveillance Overview
Subject	Information Governance
Version	0.2
Publication Date	TBC
Last Reviewed Date	N/A
Next Review Date	TBC

Policy Version History

Version	Date	Notes	Author
0.1	15/11/2019	Initial draft	Veritau DPO
0.2	30/03/2021	Format changes	Veritau DPO



Contents

1. Introduction	1
2. Relevant Legislative Framework	1
3. Covert Surveillance Activity	2
4. Overt Surveillance Activity.....	2

1. Introduction

This overview forms part of the Council's wider Information Governance Framework that has been refreshed following the introduction of the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

The new legislation states that data controllers are responsible for compliance with the six data protection Principles (the Principles) and must be able to demonstrate compliance to data subjects and regulatory bodies. The Information Governance Framework is the Council's method to demonstrate compliance with the Principles.

The Surveillance Overview is not a policy itself but instead explains the Council's approach to Information Security and which policy documents are relevant to the Council's approach to governing the use of surveillance to ensure such processing takes place within the provisions of data protection legislation.

Queries about this overview, or any policy in the Information Governance framework, should be directed to the Council's Data Protection Officer.

2. Relevant Legislative Framework

The Council maintains two individual policies to govern the use of Surveillance activity. The policies have been written in accordance with the provisions of the following relevant legislation:

- Regulation of Investigatory Powers Act (2000)
- Human Rights Act 1998
- Data Protection Act 2018
- UK General Data Protection Regulation (2018)

Likewise, the following regulatory guidance has been considered when drafting these policies:

- Covert Surveillance and Property Interference Code of Practice (August 2018)
- Covert Human Intelligence Sources Code of Practice (August 2018)
- ICO's Surveillance Code of Practice (November 2011)
- ICO Employment Practices Code (November 2011)

3. Covert Surveillance Activity

The Council is authorised, in certain circumstances, to carry out covert surveillance activity. However, such activity is heavily regulated and subject to a number of safeguards.

The Council has one specific policy which relates to covert surveillance activity maintained by the Solicitor to the Council and Monitoring Officer.

- Regulation of Investigatory Powers Act 2000 (RIPA) Guidance and Policy ([include reference here](#))

Officers should not partake in covert surveillance activity without seeking the relevant authorisations specified in the policy.

4. Overt Surveillance Activity

As well as operating covert surveillance the Council is also permitted to operate 'overt' surveillance technology. Whilst such processing is not as heavily regulated as covert surveillance the Council must still ensure the rights and freedoms of individuals whose data is captured by such systems are protected.

The Information Governance Policy Framework has a specified policy which relates to 'overt' surveillance activity:

- Overt Surveillance Policy ([include reference here](#))

Officers should consult with the Council's Data Protection Officer prior to implementing any new surveillance system.