# CCTV and Surveillance

# Request Form

This form is to be used for requesting CCTV and surveillance images covered by the [Data Protection Act 2018, Schedule 2, Part 1(5)(3)](https://www.legislation.gov.uk/ukpga/2018/12/schedule/2/paragraph/5).

Once completed forms should be submitted by email to dataprotection@westmorlandandfurness.gov.uk.

The listed UK GDPR provisions do not apply where disclosure of the data: -

1. is necessary for the purpose of, or in connection with, legal proceedings (including prospective legal proceedings)
2. is necessary for the purpose of obtaining legal advice
3. is otherwise necessary for the purpose of establishing, exercising or defending legal rights.

To the extent that the application of those provisions would prevent the controller from making disclosure.

Westmorland and Furness Council must be satisfied that all requests are genuine and that persons making a request understand their legal obligations in relation to possessing and making use of images recorded on any council owned CCTV system.

Persons requesting should also be aware that copyright of all images remains with Westmorland and Furness Council and images may not be published or otherwise shown without the specific written permission of the Council.

Please be aware that CCTV images from Westmorland and Furness Council CCTV systems are held for a maximum of 6 weeks from the date of recording. Therefore, please submit your request within 21 days of the incident to allow for your request to be processed in time.

## Part 1 - About You

I am:

[ ]  an individual (Please go to [Section A](#_Section_A_-))

[ ]  an insurance company or solicitor (Please go to [Section B](#_Section_B_-))

[ ]  a Police Officer (Please see [Part 4](#_Part_4_–))

### Section A - Personal Details

|  |  |
| --- | --- |
| **Name:** |  |
| **Address:** |  |
| **Email Address:** |  |

**All individuals submitting requests for images will be required to provide evidence of their identity alongside their completed request form.**

### Section B - Company Details

|  |  |
| --- | --- |
| **Company Name:** |  |
| **Company Address:** |  |
| **Contact Name:** |  |
| **Email Address:** |  |
| **Client Name:** |  |

**All companies submitting requests for images on behalf of their clients will be required to provide evidence of their authorisation to represent their client alongside their completed request form.**

## Part 2 - Purpose

Please indicate the purpose for which you are requesting this information:

[ ]  obtaining legal advice prior in consideration of commencing legal proceedings

[ ]  defending or instigating criminal proceedings

[ ]  defending or instigating civil proceedings

[ ]  defending or instigating an insurance claim

## Part 3 - Required Data

|  |  |
| --- | --- |
| **Town** |  |
| **Street** |  |
| **Building Number/Name (If relevant)** |  |
| **Incident Date**  |  |
| **Incident Time** Please note - we will only search 15 minutes before or after the times stated. |  |
| **Incident Description** Please provide as much detail as possible, including physical characteristics or clothing colour. |  |
| **Vehicle Details**Please specify the Type, Make, Model and Vehicle Registration Number. |  |
| **Other Relevant Information**  |  |

## Part 4 - Police Requests

The Police are permitted to request footage under the Data Protection Act 2018 (Schedule 2).  Officers making requests must present a completed Schedule 2 Form, signed by the authorised officer to confirm that the information is needed for the detection or prevention of a specific crime.   Schedule 2 Forms should be submitted by email to: dataprotection@westmorlandandfurness.gov.uk

## Part 5 - Declaration, Disclaimer and Signature

I confirm that I am either:

|  |  |
| --- | --- |
| Requesting this information on behalf of the Client listed in [Part 1 – Section B](#_Section_B_-), in accordance with the purpose stated in [Part 2](#_Part_2_–)  | [ ]  |
| Requesting this information, on behalf of myself in accordance with the purpose stated in [Part 2](#_Part_2_–) | [ ]  |

I fully understand the implications of Data Protection Act 2018 and that I will adopt the responsibilities of Data Controller once I take possession of the relevant personal data I have requested.

So far as I am aware, the data requested is not available as unused material which is available through the Crown Prosecution Service and the Police Force.

I also understand that copyright of the images remains with Westmorland and Furness Council and the images are only released for use in relation to the legal proceedings stated on this form.

I undertake that the images will not be released to the media, or persons with no relevant interest in the intended proceedings, without the express written permission of Westmorland and Furness Council.

By signing this declaration and Agreement I acknowledge that I fully understand that I may commit an offence under the Data Protection Act if I have stated a falsehood or do not fulfil the obligations as a Data Controller.

|  |  |
| --- | --- |
| Signed: |  |
| Date: |  |

**Completed forms should be submitted by email to** **dataprotection@westmorlandandfurness.gov.uk****.**