



CCTV & IMAGES NOTICE POLICY

NEWCASTLE UNITED FOOTBALL CLUB



I. Policy Statement

CCTV

- I.1 We (NUFC) believe that CCTV and other surveillance systems have a legitimate role to play in helping to maintain a safe and secure environment for all our staff and visitors. However, we recognise that this may raise concerns about the effect on individuals and their privacy. This policy is intended to address such concerns.
- I.2 Images recorded by surveillance systems *may* become personal data in some circumstances, in which case they must be processed in accordance with data protection laws. We are committed to complying with our legal obligations and ensuring that the legal rights of staff and visitors, relating to their personal data, are recognised and respected.
- I.3 This policy is intended to assist staff in complying with their own legal obligations when working with personal data. In certain circumstances, misuse of information generated by CCTV or other surveillance systems could constitute a criminal offence.

Event Images

- I.4 Photography, audio-visual recording, and broadcasting is an integral part of match days and other events held at St James' Park Stadium ("the Premises"). When you attend a football match, or other public event at the Premises, as a fan / participant / supporter / visitor / member of staff / contractor or other capacity you may be recorded and/or photographed by a member of the public, our official cameramen or photographers; as well as those of our partners; and the press and media who are invited to cover our matches and events ("Event Images").
- I.5 Some Event Images may be published (which means broadcast, printed, or posted online) contemporaneously, for example on our website, social media or other platforms; on media platforms, including international media platforms, on linear and digital television channels; or on press and media websites or social media, and in print publications; and across social networking platforms.
- I.6 Event Images may also be used by us or by third parties for historical, archive or review purposes.
- I.7 From time to time NUFC will use Event Images for promotional, corporate, commercial, staff training, health and safety and/or operational purposes.
- I.8 We will not use, share, broadcast or otherwise make public any images of individuals that are obviously private, or we believe may potentially cause offence, embarrassment or distress.



Competition Images

- 1.9 We run routine supporter and other competitions, for the purposes of engaging with fans of the Club, the Club's community, and for providing opportunities for fans to have access to fantastic Club prizes.
- 1.10 For the purposes of these competitions, on occasion we publish and/or use images in order to celebrate the success of the winners and to promote Club competitions ("Competition Images").
- 1.11 We take the privacy of our staff, fans and others with whom we interact seriously, and will only use Competition Images, Event Images and CCTV Images respectfully to your data protection rights. Details of how we handle personal data are set out below and in our privacy policy [here](#).

2. Definitions

- 2.1 For the purposes of this policy, the following terms have the following meanings:

Best Practice: means the exercise of the degree of skill, care, diligence, practice, prudence and foresight which is reasonably and ordinarily expected from a skilled and experienced practitioner in an activity of same or similar scope and complexity to the subject matter of this policy, and where such contractor is seeking to comply with its contractual obligations and all applicable law and regulatory requirements.

CCTV: means bodycams, fixed and domed cameras designed to capture and record images of individuals and property.

Competition Images: Images of participants taken when they have won (or reached an advanced stage of) a Club competition.

Data: is information which is stored electronically, or in certain paper-based filing systems. In respect of CCTV, this generally means video images. It may also include static pictures such as printed screen shots.

Data Protection Law: means all applicable laws and regulations relating to the processing of personal data and privacy in any relevant jurisdiction including without limitation the UK GDPR, the Data Protection Act 2018, the Privacy and Electronic Communications Regulations, the Regulation of Investigatory Powers Act 2000, the Telecommunications (Lawful Business Practice)(Interception of Communications) Regulations 2000 (SI 2000/2699) and any order, guidelines and instructions issued by a relevant national regulator or judicial authority in England.

Data Subjects: means all living individuals about whom we hold personal information as a result of the operation of our CCTV (or other surveillance systems) and the capture of Event Images and/or Competition Images.



Event Images: means the images from photographs and video footage of crowds and fans and other media content which we use and is created by us (or on our behalf) at football matches and events or as provided to us directly by individuals or groups themselves for our use.

GDPR: means the General Data Protection Regulation (CEU 2016/679) and any national implementing laws, regulations and secondary or related legislation (including as transposed into domestic legislation).

Data Controllers: are the people who, or organisations which, determine the manner in which any personal data is processed. They are responsible for establishing practices and policies to ensure compliance with the law. We are the data controller of all personal data used in our business for our own commercial purposes.

Data Users: are those of our employees whose work involves processing personal data. This will include those whose duties are to operate CCTV cameras and other surveillance systems to record, monitor, store, retrieve and delete images. It will also include those whose duties include working with Event Images and/or Competition Images for promotional or other commercial purposes. Data Users must protect the data they handle in accordance with this policy and our data protection policies.

Data Processors: are any person or organisation that is not a data user (or other employee of a Data Controller) that processes Data on our behalf and in accordance with our instructions (for example, a supplier which handles Data on our behalf).

Material: is any audio, visual or audio-visual material or any information or data that, whether or not it was intentionally created for such purposes, is used for commercial purposes or is capable of being used for commercial purposes.

Personal Data: means data relating to a living individual who can be identified from that data (or other data in our possession). This will include video, photographic and digital images of identifiable individuals.

Premises: means the Club's stadium at St James' Park, Newcastle upon Tyne NE1 4ST; the Club's Academy at Little Benton, Off Greenlee Drive, Newcastle upon Tyne, NE7 7SF; the Club's Training Ground at Darsley Park, Whitley Road, Benton, Newcastle upon Tyne, NE12 9SF; the Club merchandise outlet at St James' Park, Newcastle upon Tyne NE1 4ST; and Nine Bar at St James' Park, Newcastle upon Tyne NE1 4ST.

Processing: is any activity which involves the use of Data. It includes obtaining, recording or holding Data, or carrying out any operation on the Data including organising, amending, retrieving, using, disclosing or destroying it. Processing also includes transferring Personal Data to third parties.



Surveillance Systems: means any devices or systems designed to monitor or record images of individuals or information relating to individuals. The term includes CCTV systems as well as any technology that may be introduced in the future such as automatic number plate recognition (ANPR), body worn cameras, unmanned aerial systems and any other systems that capture information of identifiable individuals or information relating to identifiable individuals.

3. About This Policy

- 3.1 We currently use CCTV cameras to view and record individuals on and around the Premises. This policy outlines why we use CCTV, how we will use CCTV and how we will process Data recorded by CCTV cameras to ensure we are compliant with Data Protection Law and Best Practice. This policy also explains how to make a subject access request in respect of personal data created by CCTV.
- 3.2 Sporting, social, charitable, retail, community and entertainment events take place at the Premises. On such occasions, Event Images and/or Competition Images may be captured incidentally (for instance, crowd shots in media coverage) and/or deliberately (for instance, television broadcast, official publicity or commemorative images). This policy outlines how and why we use Event Images and Competition Images and how we will process such Data to ensure we are compliant with Data Protection Law and Best Practice.
- 3.3 We recognise the information that we hold about individuals is subject to Data Protection Law. Event Images, Competition Images and images of individuals recorded by CCTV cameras at the Premises and/or in the workplace are Personal Data and therefore subject to the Data Protection Law. We are committed to complying with all our legal obligations and seek to comply with Best Practice suggestions from the Information Commissioner's Office (ICO).
- 3.4 This policy covers all football supporters, Premises attendees, NUFC affiliates, Premises event participants, sporting players, entertainers, Premises event organisers (and their employees and contractors), Premises licensees, NUFC employees, directors, officers, consultants, contractors, freelancers, volunteers, interns, casual workers, zero hours workers and agency workers, and visiting members of the public.
- 3.5 This policy is non-contractual and does not form part of the terms and conditions of any employment or other contract. We may amend this policy at any time without consultation. The policy will be regularly reviewed to ensure that it meets legal requirements, relevant guidance published by the ICO and industry standards.
- 3.6 A breach of this policy may, in appropriate circumstances and depending upon the person(s) involved, be treated as a disciplinary matter or referred to an appropriate 3rd party for further action. For NUFC employees, directors, officers, consultants,



contractors, freelancers, volunteers, interns, casual workers, zero hours workers and agency workers – following investigation, a breach of this policy may be regarded as misconduct leading to disciplinary action, up to and including dismissal.

4. Personnel Responsible

- 4.1 The NUFC directors and operational management team have overall responsibility for ensuring compliance with relevant legislation and the effective operation of this policy. Day-to-day management responsibility for deciding what information is recorded, what images are taken, how they will be used and to whom they may be disclosed has been delegated to the Operations Department. Day-to-day operational responsibility for CCTV cameras and the storage of data recorded, Competition Images and Event Images is the responsibility of the Operations Department.
- 4.2 Responsibility for keeping this policy up to date has been delegated to the Head of Operations and the Head of Safety and Security.

PART I: CCTV

I. Reasons for the use of CCTV

- I.1 We currently use CCTV around the Premises. Such use is necessary to protect vital interests of individuals and is necessary for legitimate business purposes, including:
 - (a) to prevent crime and protect buildings and assets from damage, disruption, vandalism, terrorism and other crime;
 - (b) for the personal safety of all staff, visitors and other members of the public and to act as a deterrent against crime;
 - (c) to support law enforcement bodies in the prevention, detection and prosecution of crime and/or terrorism;
 - (d) to assist in day-to-day management, including ensuring the health and safety of staff and others;
 - (e) to assist in the effective resolution of disputes which arise in the course of disciplinary or grievance proceedings;
 - (f) to assist in the defence of any civil litigation, including employment tribunal proceedings;
 - (g) for insurance purposes and investigating insurance claims;
 - (h) to assist in the investigation of customer complaints.

This list is not exhaustive and other purposes may be or become relevant.



2. Monitoring

- 2.1 CCTV monitors the exterior and interior of the Premises and the perimeter, main entrances and secondary exits, corridors, areas inside the bowl of the stadium, function suites and bars 24 hours a day and this data is continuously recorded.
- 2.2 Camera locations are chosen to minimise viewing of spaces not relevant to the legitimate purpose of the monitoring. As far as practically possible, CCTV cameras will not focus on private homes, gardens or other areas of private property.
- 2.3 Surveillance systems, other than body worn camera systems in specific circumstances, will not be used to record sound.
- 2.4 Images are monitored by authorised personnel 24 hours a day, every day of the year.
- 2.5 Staff using surveillance systems will be given appropriate training to ensure they understand and observe the legal requirements related to the processing of Data and Personal Data.

3. How we will operate any CCTV

- 3.1 Where CCTV cameras are placed in the Premises, we will ensure that signs are displayed at the entrance of the surveillance zones to alert individuals that their image may be recorded prior to any recording taking place. Such signs will contain details of the organisation operating the system, the purpose for using the surveillance system and who to contact for further information, where these things are not obvious to those being monitored.
- 3.2 Live feeds from CCTV cameras are monitored where this is reasonably necessary, for example to protect health and safety.
- 3.3 We will ensure that live feeds from cameras and recorded images are only viewed by approved members of staff whose role requires them to have access to such data. This may include event control personnel and HR staff involved with NUFC internal disciplinary or grievance matters. Recorded images will only be viewed in designated, secure offices.

4. Use of data gathered by CCTV

- 4.1 In order to ensure that the rights of individuals recorded by the CCTV system are protected, we will ensure that data gathered from CCTV cameras is stored in a way that maintains its integrity and security. This may include encrypting the data, where it is possible to do so.



- 4.2 Given the large amount of data generated by surveillance systems, we may store video footage using a cloud computing system. In such a case, we will take all reasonable steps to ensure that any cloud service provider maintains the security of our information, in accordance with Data Protection Law.
- 4.3 We may engage data processors to process data on our behalf. We will ensure reasonable contractual safeguards in accordance with relevant Data Protection Law are in place to protect the security and integrity of the data.

5. Requests for disclosure

- 5.1 We may share data with NUFC group companies and other associated companies or organisations (for example law enforcement agencies, the FA and the Premier League, or another Club) where we consider that this is reasonably necessary for any of the legitimate purposes set out above in Paragraph 1.1 above.
- 5.2 No images from our CCTV cameras will be disclosed to any other third party, without express permission being given by Head of Safety and Security. Data will not normally be released unless satisfactory evidence that it is required for legal proceedings or under a court order has been produced.
- 5.3 In other appropriate circumstances, we may allow law enforcement agencies to view or remove CCTV footage where this is required in the detection or prosecution of crime.
- 5.4 We will maintain a record of all disclosures of CCTV footage.
- 5.5 No images from CCTV will ever be posted online or disclosed to the media.

6. Retention and erasure of data gathered by CCTV

- 6.1 Data recorded by the CCTV system will be stored digitally. Data from CCTV cameras will not be retained indefinitely but will be permanently deleted once there is no reason to retain the recorded information. Exactly how long images will be retained for will vary according to the purpose for which they are being recorded, but in most cases the data will be automatically erased before 30 days has elapsed. For example, where images are being recorded for crime prevention purposes, data will be kept long enough only for incidents to come to light. In all other cases, recorded images will be kept for no longer than 30 days.
- 6.2 At the end of their useful life, all images stored in whatever format will be erased permanently and securely. Any physical matter such as tapes or discs will be disposed of as confidential waste. Any still photographs and hard copy prints will be disposed of as confidential waste.



7. Use of additional surveillance systems

- 7.1 Prior to introducing any new surveillance system, including placing a new CCTV camera in any workplace location, we will carefully consider if they are appropriate by carrying out a privacy impact assessment (PIA).
- 7.2 A PIA is intended to assist us in deciding whether new surveillance cameras are necessary and proportionate in the circumstances and whether they should be used at all or whether any limitations should be placed on their use.
- 7.3 Any PIA will consider the nature of the problem that we are seeking to address at that time and whether the surveillance camera is likely to be an effective solution, or whether a better solution exists. In particular, we will consider the effect a surveillance camera will have on individuals and therefore whether its use is a proportionate response to the problem identified.
- 7.4 No surveillance cameras are currently located in areas where there is an expectation of privacy (for example, in changing rooms). It is intended that this shall remain the case, unless, in very exceptional circumstances, it is judged by us to be necessary to deal with very serious concerns.

8. Covert Monitoring

- 8.1 We will never engage in covert monitoring or surveillance (that is, where individuals are unaware that the monitoring or surveillance is taking place) unless, in highly exceptional circumstances, there are reasonable grounds to suspect that criminal activity or extremely serious malpractice is taking place and, after suitable consideration, we reasonably believe there is no less intrusive way to tackle the issue.
- 8.2 In the unlikely event that covert monitoring is considered to be justified, it will only be carried out with the express authorisation of the Club Director and/or the Head of Safety and Security. The decision to carry out covert monitoring follows an authorisation process and will be fully documented and will set out how the decision to use covert means was reached and by whom. The risk of intrusion on innocent workers will always be a primary consideration in reaching any such decision.
- 8.3 Only limited numbers of people will be involved in any covert monitoring.
- 8.4 Covert monitoring will only be carried out for a limited and reasonable period of time consistent with the objectives of making the recording and will only relate to the specific suspected illegal or unauthorised activity.



9. Ongoing review of CCTV use

- 9.1 We will ensure that the ongoing use of existing CCTV cameras in the Premises is reviewed periodically to ensure that their use remains necessary and appropriate, and that any surveillance system is continuing to address the needs that justified its introduction.

PART 2: EVENT IMAGES

I. Event Images

- I.1 Save as where instructed as a member of staff, for the purposes of your role or responsibilities with the Club; as otherwise authorised by NUFC or permitted elsewhere in this policy, persons at, in or about the Premises shall not capture, log, record, transmit, play, issue, show or otherwise communicate (by digital or other means) any Material, any players or other persons at the Premises, nor bring into the Premises or use within the Premises (or provide to, facilitate or otherwise assist another person to use within the Premises) any equipment or technology which is capable of capturing, logging, recording, transmitting, playing, issuing, showing or otherwise communicating (by digital or other means) any such Material. Any person acting in breach of this provision may have such equipment or technology confiscated and / or will be required to deliver any tapes, films, disks, memory cards, memory sticks or other recordings of the Material (and all copies thereof) in whatever form, to the Premier League and / or NUFC.
- I.2 Mobile telephones and other mobile devices capable of capturing Material are permitted within the Premises, provided that:
- (a) they are used for personal and private use only (which, for the avoidance of doubt and by way of example only, shall not include the capturing, logging, recording, transmitting, playing, issuing, showing, or any other communication of any Material for any commercial purpose); and
 - (b) no Material that is captured, logged, recorded, transmitted, played, issued, shown or otherwise communicated by a mobile telephone or other mobile device may be published or otherwise made available to any third parties including, without limitation, via social networking sites; or
 - (c) Data Users or other employees have been instructed to capture Material on the Premises for the purposes of their role.
- I.3 In respect of Material captured by supporters and fans attending the Premises (for instance, in accordance with I.2 above), the copyright, database rights and all other



rights, title and interest in and to all Material produced by them at the Premises in relation to events, any players or other persons present at the Premises (whether produced in breach of this policy or otherwise) is hereby assigned to NUFC and/or the Premier League, including by way of present assignment of future copyright pursuant to section 91 of the Copyright, Designs and Patents Act 1988.

2. Data protection and privacy (event images and competition images)

- 2.1 All Persons entering the Premises for any sporting, social, charitable, community and/or entertainment events understand and acknowledge that such events are public, and that their appearance and actions inside and in the perimeter of the Premises where the event occurs are public in nature, and that they shall have no expectation of privacy with regard to their actions or conduct at the Premises.
- 2.2 All such Persons acknowledge that photographic images and/or audio, visual and/or audio-visual recordings and/or feeds (and/or stills taken therefrom) may be taken of them and may also be used as follows:
 - (a) in all media channels (including social media)
 - (b) for historic and / or archiving purposes;
 - (c) For promotional purposes.
- 2.3 Where Competition Images or Event Images constitute personal data, for example where an individual is identifiable in an image, we process that image in line with our obligations as a Data Controller under Data Protection Law.
- 2.4 Full details of how the Club processes personal data are set out in our Privacy Policy.
- 2.5 Where an image constitutes personal data, we may need to seek the data subject(s)' consent and provide them with information about our intended use of that data, before we use it, depending on how we intend to use that image.
- 2.6 If we would like to use an image that identifies a person for marketing, advertising, publicity or other purposes not listed in this policy or the Club Privacy Policy, we will notify that person and, if necessary, seek consent for further use at that time.
- 2.7 In many cases, images that are crowd shots only will not constitute personal data, as individuals will not be identifiable to the Club from those images.
- 2.8 The processing of personal data contained within Event Images is a legitimate business interest of the Club; to promote, publicise and celebrate Club activities and participation in competitions; to establish and maintain the Club's role as part of the regional community and encourage its relationship with fans / supporters / residents



and the community fabric; and to create revenue to contribute towards the funding and commercial success of the Club.

- 2.9 Event Images that constitute personal data are kept in a file that is deleted after 7 years.
- 2.10 Where a Competition Image constitutes personal data, we process this on the basis of our legitimate interests: the Club promotes its engagement with fans / others and the competitions and prizes that are available for all participants' further legitimate interests; and on the basis of the competition winner's legitimate interests where they may like to publicise their success.
- 2.11 Competition Images are used for no other purposes, and are deleted 12 months after the relevant competition closes.
- 2.12 Where press, media or other third parties use Event Images, or their own images of events held at the Premises, they will be the Data Controller for this processing of any personal data in such images.

GENERAL

1. Subject access requests

- 1.1 Data subjects may make a request for disclosure of their personal information and this may include CCTV images, Competition Images and / or Event Images ("Data Subject Access Request"). A Data Subject Access Request is subject to the statutory conditions from time to time in place and should be made in writing, and will be received, treated and conducted in accordance with NUFC's subject access policy and applicable Privacy Policy [here](#).
- 1.2 In order for us to locate relevant footage, any requests for copies of recorded CCTV images must include the date and approximate time of the recording, the location where the footage was captured and, if necessary, information identifying the individual.
- 1.3 We reserve the right to obscure images of third parties if, and when, disclosing CCTV data as part of a subject access request, where we consider it necessary to do so.

2. Requests to prevent processing

- 2.1 We recognise that, in rare circumstances, individuals may have a legal right to object to processing and in certain circumstances to prevent automated decision making, if any (please refer to Articles 21 and 22 of the UK General Data Protection Regulation). For further information regarding this, please contact the Data Lead at dataprotection@nufc.co.uk in accordance with our Privacy Policy [here](#).



3. Complaints

- 3.1 If any member of staff or other person to whom this policy applies has questions about this policy or any concerns about our use of CCTV, Event Images and / or Competition Images, then they should contact the Data Lead at dataprotection@nufc.co.uk in the first instance in accordance with our Privacy Policy [here](#).