



## Orpington Businesses Against Crime

### RULES AND PROTOCOLS

This document, the *Rules & Protocols of Orpington Businesses Against Crime* (hereinafter referred to as the 'OBAC') describes the obligations of Members of OBAC.

Before becoming a Member of OBAC, and before accessing any OBAC data, all prospective Members must certify that they have read, understood, and agreed to abide by this document. Access to OBAC's data will not be given to any Member who does not first certify that they have read, understood, and agreed to abide by this document.

This document is always available to view or download from the OBAC's Members-only Website/App.

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### **OBAC's Members-only Website and App** (*hereinafter referred to as the OBAC Website/App*):

OBAC's Website web-address or URL is: <https://www.disc-net.org/orpington>

OBAC's App, DISC, can be downloaded from the AppStore and Google Playstore etc, but can only be activated by OBAC Members.

### **OBAC Area**

The OBAC Area is within the boundaries of [the Orpington 1st BID](#)

### **Members obligations under current Data Protection law**

OBAC captures, processes and shares amongst its Members 'Personal Data' relating to persons reported to OBAC. Use of this data is carefully regulated by current Data Protection law. To ensure compliance with the law, Members are obliged:

1. to keep all information received through OBAC confidential and, save as otherwise permitted, not to disclose it to any third party, either directly or indirectly, unless required to do so by law or by the order or ruling of a Court or Tribunal or regulatory body;
2. Not to print any personal data from OBAC's website/App;
3. Not to copy any personal data from OBAC's website/App into any other system;
4. to submit Incident Reports on persons by using the secure online facilities available through OBAC's Website/App;
5. to ensure that information on OBAC's Website/App is only accessed by or disclosed to other Members of OBAC or the Metropolitan Police;
6. to ensure that appropriate security measures are employed to prevent unauthorised access to, or alteration, disclosure or destruction of personal data provided through OBAC Website/App;
7. to allow OBAC to audit each Member's compliance with the above obligations;
8. to ensure that, where relevant, the Member's employer organisation is compliant with current Data Protection law including registration with the Information Commissioner's Office and designation of an internal Data Controller.

### **Members' participation in OBAC's Website/App**

When a Member observes a person in a criminal or anti-social act, or acting in a suspicious manner, the Member must submit an Incident Report through the OBAC Website/App about the event as follows:

1. where the person is displayed on the OBAC Website/App, to make Incident Reports from the appropriate person's Incident Report form displayed on the person's webpage or App screen;





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2. where the person is not displayed on the OBAC Website/App, to use the appropriate Incident Report form on the OBAC Website/App and to provide the name and/or as much personal information about the person as required and to indicate on the Incident Report if the person is known to the Member.

### Exclusion Scheme

#### Targeted Persons

OBAC may display names and/or images of 'Targeted Persons' on the OBAC's Website/App in one or more of the 'Galleries', Shoplifters, Anti-social Behaviour, Scammers & Fraudsters. These persons have either been subject to a single Incident Report for criminal or anti-social behaviour by Members or their personal information has been supplied to OBAC by an authorised Partner (eg police) for sharing with Members. These persons are not excluded from Members premises.

The purpose of displaying Targeted Persons on the OBAC Website is to:

- ensure that such persons are aware that OBAC knows their identity, and thus to encourage them to desist in any further criminal or anti-social behavior in the OBAC Area, and/or;
- enable Members to be aware of, and easily identify, persons who are or have been recently active in low-level crime and/or anti-social behaviour and, where necessary, submit Incident Report(s) about relevant behaviour.

Unless a Targeted Person becomes subject to an Exclusion Notice (*see below*) his/her Personal Data will be withdrawn from display on the OBAC Website/App after 12 months. The Data Controller may extend this period for 12 months and must record a rationale for this extension and note it on the Targeted Person's file in DISC.

#### Excluded Persons

OBAC may maintain one or more lists or galleries of Excluded Persons.

1. If a person has been subject to Incident Reports submitted by more than one Member, OBAC will serve an Exclusion Notice on this person, thus designating him/her as an Excluded Person who is excluded from the premises of all Members of OBAC.
2. If a person has received more than one Incident Report submitted by the same Member, subject to confirmation with the Member, OBAC will serve an Exclusion Notice on this person, thus designating him/her as an Excluded Person who is excluded from the premises of all Members of OBAC.





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3. The length of exclusion is 12 months and will become effective from the date of the latest relevant incident reported.
4. If an Excluded Person is subject to an Incident Report submitted by a Member during the period of his/her exclusion, that period of exclusion is extended by 12 months from the date of the latest incident reported.
5. As soon as an Excluded Person completes his/her period of exclusion, all personal data will be removed from the Website/App. If the Administrator believes there is justification for retaining it as a Targeted Person (see 'Targeted Persons' above) his/her information will be managed accordingly and the Data Controller must record a rationale for this extension and note it on the Targeted Person's file in DISC.

### Irrevocable Deletion of Personal Data

All personal data pertaining to any person will be entirely erased 12 months after either the last expiry date of any applicable exclusion scheme or the last incident reported relating to the said person, whichever is the latest.

Relevant non-personal data will be retained only for historical statistical analysis.

### Sharing Personal Data

OBAC may share Personal Data of a person only:

1. where the receiving Scheme complies with Good Practice to a level comparable with that defined in this document;
2. where the receiving Scheme shares the same or similar Common Purpose as OBAC;
3. where Personal Data to be shared is not subject to restrictions of use which preclude such sharing;
4. where the receiving Scheme notes and retains a rationale justifying the acquisition of the Personal Data (for example, that the person is likely to travel to the receiving Scheme area).

Subject to agreement of the Board of Management of OBAC, OBAC may share personal data stored in its database with suitably authorised third-party organisations such as police, other Scheme Administrators etc.

### Ownership and rights of use of images

When a Member submits an image of a person to OBAC either through the Website/App or through any other method, the Member grants OBAC full use of the image in accordance with this document,





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confirms that the image has been obtained in compliance with current Data Protection law and the CCTV Code of Practice, and asserts his/her ownership of the image, and right to grant usage of it by OBAC.

In the case of unidentified images of persons, the submitting Member grants OBAC unlimited rights to share the image with other Schemes and authorised third parties for identifying the person displayed.

### **Data Subject Access Requests**

Persons may request access to all and any of their person data processed by OBAC by means of a Subject Access Request and require correction of any data that the persons can show to be incorrect; information on how to submit Subject Access Requests is included in OBAC's Privacy Notice which is supplied to all persons where possible or, only where not possible, made as widely accessible and available as possible to them.

### **Appeals against Exclusion Notices**

An Excluded Person may appeal to the Board against his/her exclusion. This must be either in writing, or through an online method.

The Board will institute a formal appeal process to consider properly submitted appeals.

1. appeals will be heard by a committee comprising Members of OBAC not involved in the original decision to exclude the appellant;
2. the appellant and or a representative/companion may attend the hearing of the appeal;
3. the representations of the appellant and any fresh evidence will be considered by the committee who shall inform the appellant of their decision in writing either at the time of the appeal or soon after;
4. a written record of the hearing will be retained.

Members must be willing to participate in the appeals process, subject to their availability.

### **Other obligations**

In addition to the above obligations, Members are obliged to:

1. maintain their contact information on the OBAC Website/App and ensure that it is correct;
2. refer any formal complaint by a person displayed on the Website/App regarding any element in the Website/App or administrative processes or procedures to the OBAC Administrator via the Website/App;
3. be aware that all data accessible on the OBAC Website/App is the property of OBAC except where otherwise stated.

