

CCTV Code of Practice



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2.0	<p>Minor spelling</p> <p>7.1 suggested adding where recordings are shared that anyone else visible in the recording will be masked or pixelated to protect their identity.</p> <p>7 suggested to include something on exporting any data in a format that can be used by the police or whoever uses the data – principle 11 in Commissioners code (4.11.3/4.11.4)</p> <p>4.1 clarification that training relates to principle 8 of SCC code</p>	Head of Communications Surveillance Camera Commissioner	23 October 2014
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CONTENTS

1	Introduction.....	5
2	Aims & Objectives of the System.....	6
3	Cameras and Equipment.....	7
4	Human Resources.....	8
5	The Control Room.....	8
6	Record information and images.....	9
7	Sharing Recorded Information and Images.....	10
8	Evaluation and Monitoring.....	10
9	Reporting.....	11
10	Complaints.....	11
11	Changes to the Code or the Manual.....	12
	Annex 1: Governance of CCTV.....	13
	Annex 2: Relevant Legislation (August 2014).....	14

1 INTRODUCTION

- 1.1 Market Harborough Community Safety Partnership (“The Partnership”) has established CCTV in parts of Harborough District to help promote safety and reduce crime.
- 1.2 The CCTV is owned and managed on behalf of the Partnership by Harborough District Council.(“the Council”)
- 1.3 Whilst CCTV helps make communities safe, it can also raise concerns about its impact upon individual’s rights. This Code of Practice governs the operation of the CCTV and how it will help promote safety while respecting individuals’ privacy and their rights to fair and equal treatment.
- 1.4 The CCTV equipment will only be used for the purposes set out in this Code. The only exception to this is when the equipment is used for use for covert surveillance. This use is governed by the Regulation of Investigatory Powers Act 2000 (for more information see Annex 2). Use of the cameras in this way is covered by a separate code.
- 1.5 In addition to this Code there is a Procedural Manual which gives full instructions on the day to day working of the CCTV system
- 1.6 From time to time transportable or mobile cameras may be temporarily sited within the district. The use of such cameras, and the data produced by virtue of their use, will always be in accordance with the objectives of the CCTV System.
- 1.7 Certain employees of the Council have body worn cameras when working outside Council buildings. The only purpose for which these are used is for the protection of the employees concerned. The use of such cameras, and the data produced by virtue of their use, will always be in accordance with this Code.

2 AIMS & OBJECTIVES OF THE SYSTEM

2.1 THE AIM IS:

To work in partnership towards safer neighbourhoods for the community, visitors and anyone who works in the District.

2.2 THE OBJECTIVES ARE:-

- a) To contribute towards public safety;
- b) To assist in the prevention and detection of crime and disorder;
- c) To assist in the prevention and detection of anti social behaviour;
- d) To assist in the prevention and detection in the misuse of drugs and alcohol;
- e) To assist in the prevention and detection of behaviour adversely effecting the environment;
- f) To assist in providing public confidence, reassurance and reducing levels of fear of crime.

3 CAMERAS AND EQUIPMENT

- 3.1 Cameras are placed in key locations covering public spaces in Harborough District. The area covered by CCTV is clearly marked by signs in the towns within the District. A map showing the camera locations is available from the Council and on Council's website.
- 3.2 Clear signs are placed near each camera showing:
- i) the presence of CCTV;
 - ii) that the Council operates the CCTV;
 - iii) who to contact about the CCTV.
- 3.3 The cameras can take clear pictures at any time of day or night. Operators can zoom them in on particular spots, or use them to track people or events which cause concern about crime or safety.
- 3.4 The cameras are able to take pictures which clearly identify individuals. This is to aid the detection of crime and the potential identification of individuals involved. However, the cameras will always be used fairly and in a way which respects individuals' rights. The cameras will not be used to observe private property. The CCTV manager can ask any operator to justify using the cameras to monitor particular people or property.
- 3.3 The CCTV is operated from a secure control room. Equipment in the control room records images from all the cameras at all times. No equipment other than that in the CCTV control room can record images from any of the cameras.

4 HUMAN RESOURCES

- 4.1 All CCTV operators are fully trained in how to use it. They are also trained in respect of the relevant legislative provisions relating to human rights; privacy, equalities and other legislation affecting individual's rights' (see Annex 2 for more information). Operators are given copies of the Code and the Manual, and provide written confirmation that they have read and understood them. Any breach of this requirement will be considered as a disciplinary offence.
- 4.2 With the permission of the system manager, a police officer or PCSO may operate the cameras under the supervision of a trained operator
- 4.2 Anyone who has any involvement with the System must sign a declaration that they will keep confidential any personal information which is gathered about anyone by the CCTV system.

5 THE CONTROL ROOM

- 5.1 The control room will be kept secure at all times.
- 5.2 No one may enter the control room unless they have specific permission under this Code or have the permission of the system manager. Access will be for lawful, proper and sufficient reasons only. No more than two visitors may be in the control room at any time.
- 5.3 All visitors to the control room must sign the visitors' book and a declaration of confidentiality.
- 5.4 A police officer or PCSO may be in the control room.

6 RECORD INFORMATION AND IMAGES

- 6.1 Information gathered by CCTV about individuals' activities will be always be treated with due regard to their rights and in accordance with the law.

- 6.2 The Council is registered with the Information Commissioner as the data controller for the CCTV system. This means that the Council is responsible for how information gathered by the CCTV is stored, and for deciding whether any of this information can be given to anyone. Copyright and ownership of all material recorded by the CCTV is also held by the Council

- 6.2 Recorded images are kept secure at all times, and every movement and use of them is recorded. The Protocol Manual provides full instructions on use and storage of recorded images..

- 6.3 Recorded material will be only be used in connection with the objectives set out in this Code.

- 6.4 Recorded images are normally only kept for up to 28 days unless requested for evidence.

7 SHARING RECORDED INFORMATION AND IMAGES

- 7.1 Anyone who has been recorded on CCTV cameras has a right, except in special cases, to see the recording (people other than the person making the request will have their identities protected). Anyone wanting to view a recording should contact the Council. More information can be found on the Council's website.
- 7.2. The Council will share recorded images with the police (or other agency with statutory authority to investigate or prosecute offences) if they are requested for use as evidence when investigating a crime or alleged crime. The images will be shared in a format that can be used by the police or other agency.
- 7.3 Any requests for copies of information gathered by CCTV should be made to the Council. These requests will be considered in line with the Council's obligations under the Data Protection Act 2018.

8 EVALUATION AND MONITORING

- 8.1. The CCTV will be evaluated at least every two years. This will include reviewing the aims and objectives, and whether the CCTV is meeting those objectives.
- 8.2 The System manager has day to day responsibility for the monitoring, operation and evaluation of the System.
- 8.3 The Council officer who has responsibility for the Community Safety Partnership will appoint independent auditors they will regularly audit the working of the system to ensure that this Code is being adhered to.. Audits will include examining the Control Room records and recorded material.
- 8.4 Auditors can visit the control room at any time without prior notice.. Auditors must not influence the working of the System during their visit. The visit will be suspended if it interferes with operations.

9 REPORTING

- 9.1 An annual report will be produced which will be available on the Council web site. Copies can be obtained from the Council.

10 COMPLAINTS

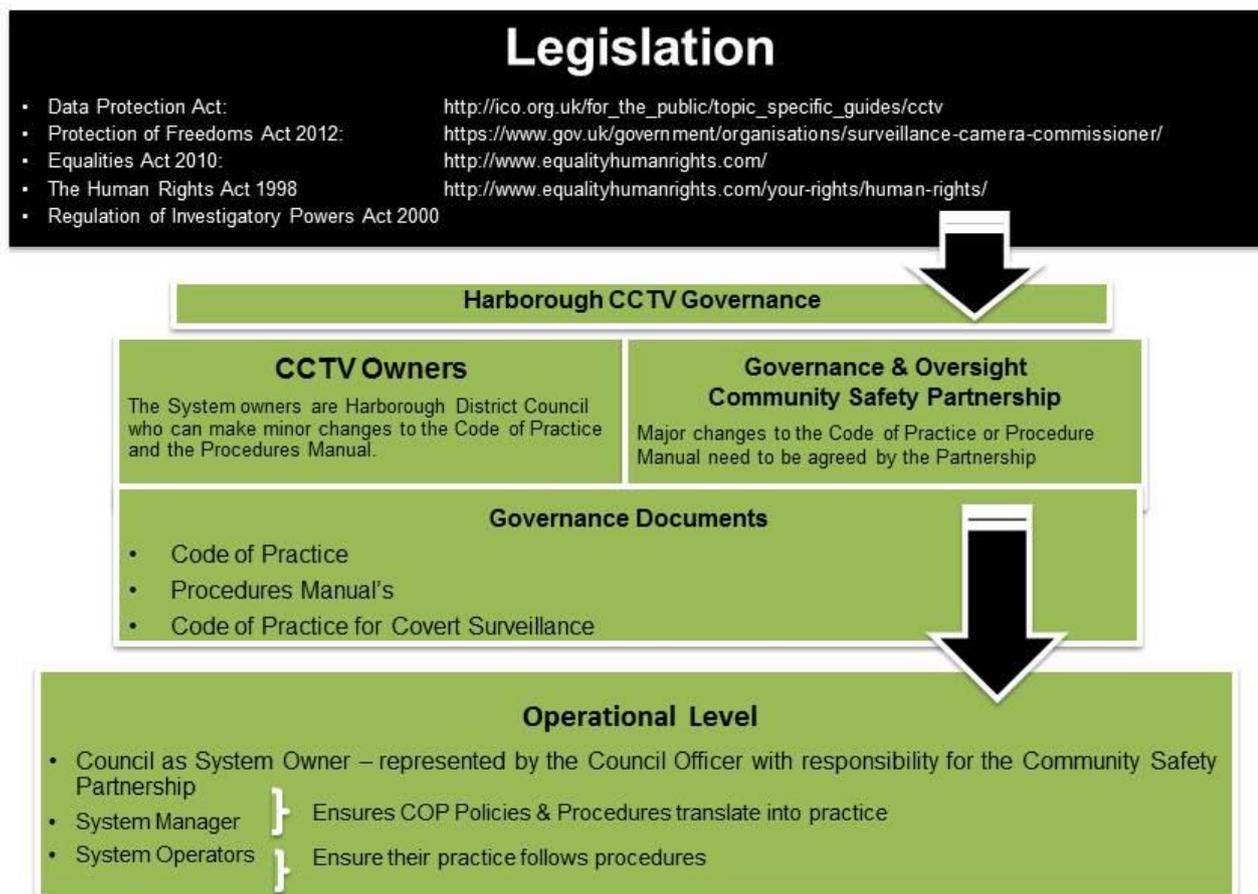
- 10.1 Complaints about the operation of CCTV can be made in writing to the Council. All complaints will be dealt with through the Council's Complaints Procedure.

11 CHANGES TO THE CODE OR THE MANUAL

- 11.1 Major changes to the Code or the Manual which will have a significant impact upon the Code or upon the operation of the system will only be made with the agreement of the Partnership.

- 11.2 Minor changes, may be agreed between the CCTV Manager and the Council officer with responsibility for the Community Safety Partnership. The changes will be notified to the Partnership.

ANNEX 1: GOVERNANCE OF HARBOROUGH DISTRICT CCTV



CCTV is covered by several Acts of Parliament. The following is a non exhaustive list of some of the most significant of these.

DATA PROTECTION ACT 2018

This covers how we can record, store and release information about you.

Information about the Act can be found on the Information Commissioners web site:

<http://ico.org.uk>

THE HUMAN RIGHTS ACT 1998

This sets out basic human rights which the Council has to respect when operating CCTV. Further information about these can found from the Equality and Human Rights Commission:

<http://www.equalityhumanrights.com/your-rights/human-rights/>

EQUALITIES ACT 2010

The Equalities Act sets out to prevent unfair discrimination against particular people or groups of people. Under this Act the CCTV has to be used a way which does not discriminate against anyone on grounds including race, colour, gender and disability. Information about this can be found from the Equality and Human Rights Commission:

<http://www.equalityhumanrights.com/your-rights/equal-rights>

PROTECTION OF FREEDOMS ACT 2012:

This act set up a Surveillance Camera Commissioner. Their responsibility is to monitor the use of CCTV and advise how it should be used. They have established a code of practice for the use of CCTV which the Council has to take into account in. The code can be found at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/204775/Surveillance_Camera_Code_of_Practice_WEB.pdf

REGULATION OF INVESTIGATORY POWERS ACT 2000

This sets out when and how CCTV can be used in more intrusive or covert ways not covered by the Harborough CCTV Code of Practice. Further information about this can found from the Office of the Surveillance Commissioners:

<https://osc.independent.gov.uk/>