

**CCTV CODE OF PRACTICE - UPDATE**

Relevant Portfolio Holder	Cllr Margaret Sherrey
Portfolio Holder Consulted	Yes
Relevant Head of Service	Judith Willis Head of Community Service
Ward(s) Affected	All
Ward Councillor(s) Consulted	Yes
Key Decision / Non-Key Decision	Non-Key Decision

**1. SUMMARY OF PROPOSALS**

- 1.1 To consider the adoption of the CCTV Code of Practice (attached at Appendix 1) which takes account of changes in best practice and legislation.

**2. RECOMMENDATIONS**

- 2.1 That the CCTV Code of Practice attached at Appendix 1 be approved;
- 2.2 that authority be delegated to the CCTV and Lifeline Manager to make minor changes to this Code of Practice to comply with legal requirements and advice from the Surveillance Commissioner.

**3. KEY ISSUES**

- 3.1 The new Code of Practice is very similar in principle to the previous CCTV Code of Practice, the original objectives of the scheme have not been altered.

The changes made are primarily to meet the requirements of new legislation, the Protection of Freedom Act, and to adopt the Surveillance Camera Commissioner's Code of Practice. This code of practice has been issued by the Secretary of State under Section 30 of the 2012 Act. It provides guidance on the appropriate and effective use of surveillance camera systems by relevant authorities (i.e. Local Authorities, Police) in England and Wales who must have regard to the code when exercising any functions to which the code relates.

The Code of Practice has been written to ensure the scheme is operated legally and is fit for purpose, following these 12 guiding principles.

1. Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.
2. The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.
3. There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.

4. There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.
5. Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.
6. No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.
7. Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.
8. Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
9. Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
10. There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.
11. When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.
12. Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

The significant changes to the CCTV Code of Practice demonstrate how the Council will ensure the above principals are maintained.

### **Financial Implications**

- 3.2 There are no financial implications

### **Legal Implications**

- 3.3 Adopting the CCTV Code of Practice will ensure the CCTV scheme adheres to the legal requirements.

**Service / Operational Implications**

- 3.5 The Code is supported by a detailed procedure manual for reference and training of staff.

**Customer / Equalities and Diversity Implications**

- 3.7 The CCTV Code of Practice makes provision for all subjects of CCTV to be treated fairly and equally.

**4. RISK MANAGEMENT**

- 4.1 Failure to adopt the CCTV Code of Practice could result in the Council's CCTV Scheme being unfit for purpose

**5. APPENDICES**

Appendix 1 - CCTV Code of Practice December 2015

**6. BACKGROUND PAPERS**

Surveillance Camera Code of Practice

<https://www.gov.uk/government/publications/surveillance-camera-code-of-practice>

**AUTHOR OF REPORT**

Name: Rachel McAndrews

email: Rachel.mcandrews@bromsgroveandredditch.gov.uk

Tel.: 01527 64252 ext. 3126