



Bromsgrove
District Council

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CCTV Operation Code of Practice



1. Introduction

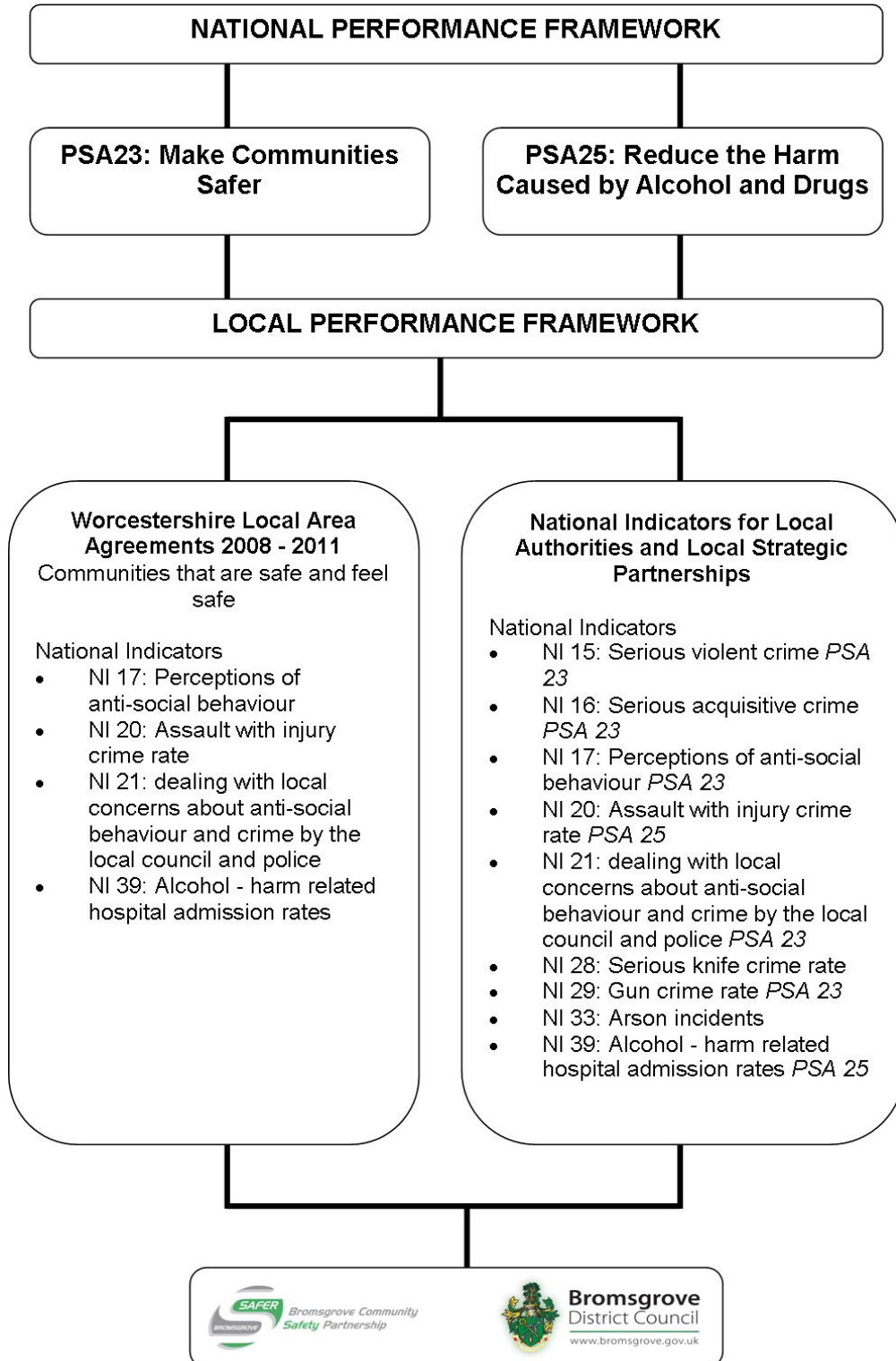
1.1 Objectives of the Bromsgrove District Council CCTV Code of Practice

- 1.1.1 The objective of this Code of Practice is to provide guidance on the correct deployment of Closed Circuit Television (CCTV) within the Bromsgrove District.
- 1.1.2 When new camera locations are considered, this document will be used as a guide for risk assessment, process, decision making, and to ensure that The Council remains within the law, best practice is followed and the best results are achieved.
This Code of Practice has been developed to ensure the best use of resources, ensure the images produced are fit for purpose (see Objectives) and that they are used appropriately in accordance with the Data Protection Act.
- 1.1.3 This document has been written following Consultation with The Community Safety Partnership and Members of Bromsgrove District Council. It is supplemented by a separate procedure manual which offers instructions on all operational aspects of the System. To ensure the purpose and principles of the CCTV system are realised, the manual is based upon the contents of this Code of Practice. The Manual is amended and updated on a regular basis as new Control Room Procedures come in to practice.
- 1.1.4 This Code of Practice will be reviewed every 3 years, or sooner, following a significant occurrence, change to the CCTV scheme, a change in legislation or a change in industry best practice.
- 1.1.5 This document will be available to member of the public on request and via the Bromsgrove District Council website. This will also include a summary version.
- 1.1.6 Bromsgrove District Council may from time to time enter into agreement to monitor CCTV cameras owned by other organisations. This will only be undertaken following a complete operational and business risk assessment. Monitoring of those cameras will follow guidance from the respective Authority's Code of Practice. However their operational principals must match those set in this document.

1.2 Objectives and benefits of the CCTV System

- 1.2.1 The Bromsgrove District Council CCTV System followed the formation of a partnership between Bromsgrove District Council, the Police, Neighbourhood Watch, the local Residents Associations, Parish Councils and Chamber of Commerce and the original scheme was funded by a government grant.
- 1.2.2 CCTV priorities are derived from the specific local needs of Bromsgrove District Council and Bromsgrove Community Safety Partnership through its

CDRP tasking group. Moreover, the operations of CCTV do help address the local and national performance frameworks. The diagram below show how CCTV is influenced by and contributes towards addressing national and local performance frameworks such as Worcestershire’s Local Area Agreements.



1.2.3 The System and its objectives are registered at the Information Commissioners Office.

- to help reduce the fear of crime;
- to help deter crime, detect crime and prevent crime;
- to assist in the apprehension and identification of offenders;
- to produce evidence relevant to the prosecution of offenders;
- to enhance community safety, boost the economy and encourage greater use of the town centre / shopping centre, etc;
- to assist the Local Authority in its enforcement and regulatory functions.
- for the maintenance of Public Order
- to provide information for traffic management

1.3 General Principals of the CCTV system

1.3.1 The System will be operated fairly, within the law, following all relevant legislation and only for the purposes for which it was established or which are subsequently agreed in accordance with this Code.

1.3.2 Acknowledging the responsibility of a Public Authority, the Bromsgrove District Council system will be operated in accordance with all the requirements and the principles of the Human Rights Act 1998. The system will be operated with due regard to the principle that everyone has the right to respect for his or her private and family life and their home.

1.3.3 Privacy zones will be used where appropriate to screen private dwelling windows from the camera view, all operators will be trained in appropriate viewing, and be required to justify their decision to view or record an individual, group or property. When a camera is not being controlled by an Operator the camera will be left to tour in pre-set positions.

1.3.4 Where concerns about intrusion are expressed by an individual or group the concern will be investigated and appropriate action taken in line with Bromsgrove District Council Customer Service Standards.

1.3.5 The operation of the system will also recognise the need for formal authorisation of any 'Directed' surveillance or crime trend (hotspot) surveillance as required by the Regulation of Investigatory Powers Act 2000 and the Police Force policy, and will abide by the Bromsgrove District Council 'Regulation of Investigatory Powers Act 2000 Policy'.

1.3.6 The system will be operated in accordance with the Data Protection Act at all times.

1.3.7 Copyright and all recorded material will remain the property of Bromsgrove District Council.

- 1.3.8 Bromsgrove District Council is the Data Controller for the information belonging to Bromsgrove District Council. Where information is owned by a third party Bromsgrove District Council will be the data Processor.
- 1.3.9 Where cameras are monitored for other organisations and authorities, the Client will have their own Code of Practice based on the operational principals of this Code. Any agreements will be covered by a comprehensive Service Level Agreement to ensure Operational Continuity.

1.4 Equalities Statement

- 1.4.1 This Code is intended to operate within the Council's Equality and Diversity Policy as described in the Inclusive Equalities Scheme. The Bromsgrove CCTV System shall be operated with respect for all individuals, recognising the right to be free from inhuman or degrading treatment and avoiding discrimination on any ground such as sex, gender (including trans-gender), sexual orientation, race, colour, language, religion, political or other opinion, nationality, national or ethnic origin, disability, age, association with a national minority, property, birth or other status.
- 1.4.2 CCTV operatives will receive training on Equality and Diversity to ensure they understand their responsibility.
- 1.4.3 Equality Impact assessments will be carried out as part of a three year rolling program, assessing the fairness of the service and associated policies and procedures

1.5 Control Room Services

- 1.5.1 Bromsgrove District Council monitors 95 Bromsgrove District Council cameras, 17 cameras located in and owned by Wyre Forest, and 5 Automatic Number Plate Recognition Cameras owned by West Mercia Police Force.
- 1.5.2 The CCTV Control Room also Houses the Lifeline Monitoring Stations and provides an Out of Hours call handling Service for Bromsgrove District Council, Bromsgrove District Housing Trust and Highways. CCTV and Lifeline are part of the Community Safety department, which sits within Street Scene and Community.
- 1.5.3 Control Room services will not diversify without consultation and agreement from members.

2 Expansion, Selecting and Sighting the cameras

2.1 Strategic Aims

- 2.1.1 The aim of the CCTV Scheme is to continue to work with and support the priorities of the Council, the Police and other Community Safety Partnership Agencies.
- 2.1.2 It will also assist in the reduction of the fear or crime within the district
- 2.1.3 In future the Control Room may look to generate income through commercial activity to offset the costs of CCTV and generate funds for scheme expansion. However this will only be considered following robust business risk analysis and not to the detriment of existing services.

2.2 Finance

- 2.2.1 Expansion of the scheme, requests for new cameras and changes to CCTV camera locations will be assessed on a case by case basis and funding requirements will be considered within the Bromsgrove District Council budget process and Medium Term Financial Plan.
- 2.2.2 Bromsgrove District Council will also explore opportunities for additional funds where possible.

2.3 Procurement

- 2.3.1 All purchases will be carried out following the Bromsgrove District Council Procurement Policy.
- 2.3.2 Upgrades to all equipment will be considered on a ten year rolling program to ensure the system and quality of image remains fit for purpose

2.4 Camera Location

- 2.4.1 Cameras are located with the following areas; Bromsgrove Town Centre, Alvechurch, Astonfields, Barnt Green, Hagley, Rubery, and Wythall
- 2.4.2 Proposal for a new camera location/scheme will be made by Council Members or members of the Community Safety Partnership, in the form of a written submission, to the Deputy Head of Street Scene and Community Service and to the Portfolio holder for Community Safety, for consideration and consultation.
- 2.4.3 Assessment must be made as to whether CCTV is the most appropriate method to resolve the issue raised, or could other strategies be used i.e. better lighting, neighbourhood warden involvement, diversionary activity, improved planning or design of area.
- 2.4.4 Locations will be carefully chosen following consultation with Community Safety partners and the Planning department. Analysis of the purpose of the camera and type of images required, the issues to be addressed, survey of

the suggested locations taking to account geographical location, technical specification (pan, tilt, zoom, infra red, lens size), power supply, Cabling, Lighting, economical/efficiency/cost issues, privacy issues, surrounding buildings and vegetation, to ensure the images are of the appropriate quality.

2.5 Project management

2.4.1 All projects will be managed appropriately according to their size, following Project Management Best Practice guidelines.

3. The equipment

3.1 Image quality

3.1.1 It is vital the images are of a suitable quality for the purpose for which the system is installed. The stored images are checked on a monthly basis to ensure they are fit for purpose.

3.1.2 The date and time will be checked regularly for accuracy

3.1.3 The Control Room equipment and Cameras will be covered by a comprehensive Maintenance Contract.

3.1.4 Steps will be taken to ensure that cameras are protected from Vandalism.

3.1.5 Systems will be in place to ensure that footage will not be inadvertently corrupted.

3.2 Audio

3.2.1 Audio capability is not part of the Bromsgrove District Council CCTV camera Scheme.

3.2.2 Audio will not be listened to or recorded from the public spaces monitored by the CCTV Cameras. This facility will not be employed.

3.2.3 Should 'help points' or 'public address systems' be installed in the future this will be carried out following the principals of section 2 of this document

3.3 Maintenance

3.3.1 Systems will be in place to ensure camera and recording faults do not go unnoticed.

- 3.3.2 A maintenance contract will be in place and reviewed every 3 years using the Bromsgrove District Council Procurement Policy.
- 3.3.3 Maintenance issues will be reported to the Maintenance Contractor immediately by Control Room Operators and response times monitored in accordance with the contract.
- 3.3.4 All maintenance issues will be recorded for audit and analysis purposes.
- 3.3.5 Any unresolved maintenance issues or unavoidable delays will be reported to the manager.

3.4 Equipment Use

- 3.4.1 The Equipment will only be used by trained, SIA Licensed employee of Bromsgrove District Council.
- 3.4.2 Each employee will be given a detailed instruction in line with this Code of Practice.
- 3.4.3 Checks will be made to ensure procedures are adhered to.

4 Effective Administration

4.1 Responsibility for the Control of Images

- 4.1.1 The Council has responsibility for the images and a legal obligation to ensure that images are only released in accordance with this document and must ensure compliance with the Data Protection Act 1998
- 4.1.2 Copyright of all images whosoever recorded and stored will remain the property of Bromsgrove District Council, except those images produced from cameras owned by third Party Organisations.
- 4.1.3 The scheme will be included in the Council's registered entry with the Information Commissioner's office.

4.2 Access to Images

- 4.2.1 Images will only be used for the purposes defined in this Code of practice.
- 4.2.2 Access to images will only take place in accordance with this Code of practice. Detailed instruction will be provided to those that have access to the images, see section 7.2 and 7.3.
- 4.2.3 Public showing of recorded material will only be allowed in compliance with Police needs connected with an investigation and only then in accordance with the Codes of Practice of The Police and Criminal Evidence Act 1984.

No recorded material will be sold or released to the Media for commercial purposes or provision of entertainment.

- 4.2.4 Recorded images will only be released to Police Officers, duly authorized Police or Council Staff (e.g. Police Community safety Officers, Police Complaints Authority, Civilian Statement Takers, Enforcement Officers).
- 4.2.5 The processing of images will take place within a secure building with restricted access.
- 4.2.6 Other Agencies with Prosecution powers such as Customs and Excise or Health and Safety Executive may make requests for evidence through the scheme Owners. Requests must be made in writing to the CCTV and Lifeline manager.
- 4.2.7 Requests to review and provide footage for insurance claim purposes will be reviewed on a case by case basis by the CCTV and Lifeline Manager and the Information Access Officer. The decision to release data will be made considering the Data Protection Act and the Freedom of Information Act.
- 4.2.8 Where members of the public require access to images, requests may be considered using Subject Access Request (see section 7.2) or Freedom of information (see section 7.3)

4.3 Image Control and storage

- 4.3.1 A catalogued library of high quality recorded media will be maintained. It will be secured in the CCTV Control Room to ensure there is no unauthorized access or accidental damage. Access will be restricted to Control Room Operators and CCTV manager.
- 4.3.2 An audit trail will be maintained for every use, viewing, seizure erasure and destruction. The Procedure Manual contains detailed instruction for every media transaction.
- 4.3.3 All recorded material will be available for 31 days, then electronically cleared and cleaned prior to recording or destruction.
- 4.3.4 Live images will be shared with the West Mercia Constabulary at Hindlip Head Quarters, these images will only be recorded at Bromsgrove District Council Control Room.
- 4.3.5 Video prints may be taken from live images or recorded footage. All video prints will be catalogued detailing the date produced, reason for production and destruction date. Ownership and Copyright of Video prints remain with Bromsgrove District Council.

5 Operational Guidance

5.1 Referral of an incident

- 5.1.1 During monitoring the CCTV Cameras, the Operator see an incident which involves, or appears to involve, criminal activity or other activity requiring Police attention, they will immediately alert the Police Call Management Centre (CMC) and link through pictures of the incident. The Police will immediately assume responsibility for investigating the incident and deciding upon all further action to be taken.
- 5.1.2 The Operator will log the details of the incident, time, date, location, details of what was seen, action taken and conclusion and any other relevant information.
- 5.1.3 If, during monitoring, an operator sees an incident which does not involve, or appear to involve, criminal activity (traffic congestion, damage or obstruction) the Operator will alert the appropriate Agency whose responsibility it will be to investigate the report and take all necessary remedial action.
- 5.1.4 The Control Centre Staff will log the details of the incident in 5.1.2

5.2 Police Use of Recorded Material

- 5.2.1 When the Police have reasonable cause to believe that an incident has been recorded which involves, or may involve, criminal activity, public disorder or antisocial behaviour, a Police Officer will be handed the recorded material by Control Centre staff, against signature and in accordance with the strict CCTV procedures.
- 5.2.2 All recorded material which has been viewed by an 'Investigating Officer' or a 'Disclosure Officer' of a statutory prosecuting agency under The Criminal Procedures and Investigations Act 1996, shall be classified as either 'evidential material' or 'potential unused material'.
- 5.2.3 The recorded material will then be released by the CCTV Control Room, but ownership and copyright remains with the Bromsgrove District Council as owners. The recorded material shall at no time be used for anything other than the purpose specified and identified when the recorded material is released by the CCTV Control Room to the Police.
- 5.2.4 For any recorded material to be used as evidence in any criminal proceedings, there must be evidence of continuity of handling of the recorded material from the time it was first brought into use in the CCTV Control Centre to its production in Court as evidence. The Control Room procedures shall ensure this continuity is maintained.
- 5.2.5 Any recorded material released from the CCTV Control Centre to the Police will be placed in a sealed evidence bag by Control Centre staff before it is removed from the CCTV Control Centre. The recorded material will be kept secure at all times thereafter and will be recorded and dealt with in accordance with Police procedures.

- 5.2.6 The recorded material exhibited in Court as evidence must be the master copy of the recording. There must be no editing, either by cutting or splicing or recording from other sources. However, while the master of the recorded material is in Police possession, Police may take one working copy of the recorded material and a second copy of the recorded material to be used as disclosure material to the defence.
- 5.2.7 Where recorded material is passed to the defence, they will be required to sign a statement acknowledging that the information is subject to the Data Protection Act and that the copyright is owned by Bromsgrove District Council.
- 5.2.8 At the conclusion of the use of any recorded material the Police will return it to the Control Room, where it will be returned following the CCTV procedure Manual, wiped clean and reused or destroyed. However the Court may direct that it should be destroyed instead of being handed back to the Owners.

5.3 Council Use of Recorded Images

- 5.3.1 A Council Officer may ask the CCTV Manager to view recorded images of a specified incident which does not involve, or appear to involve, criminal activity but which may involve the Council services for which the Officer is responsible for enforcement and regulatory functions. This request may arise because;
- during monitoring, a Control Centre staff has seen the incident and alerted the relevant Council Officer.
 - the Council Officer is made aware of incidents by any other means.
 - Directed Covert Surveillance has been authorised following the process as per the Bromsgrove District Council RIPA Policy
- 5.3.2 A log will be kept in the Control Centre of any such viewings.
- 5.3.3 No other viewings by Council Members or Officers will be permitted.
- 5.3.4 All recorded material which has been viewed by an 'Investigating Officer' or 'Enforcement Officer' shall be classified as either 'evidential material' or 'potential unused material'.
- 5.3.5 If a copy of such material is requested it may be produced for the Officer and they must sign to ensure it's security, confidentiality and the purpose for which it has been seized. Master should also be seized as it may be required for court proceedings.
- 5.3.6 The Copyright and ownership will remain with Bromsgrove District Council and shall at no time be used for anything other than the purpose specified and identified when the recorded material is released to the Officer.

5.3.7 Any recorded material released from the CCTV Control Centre to the Officer must be kept secure in a locked cabinet at all times thereafter and returned to the Control Room for cleaning or destruction immediately it is no longer required.

Performance Management

6.1 Data

6.1.1 All incident details are recorded on an electronic incident Management System. This allows year on year comparison of the performance and level of activity monitored.

6.1.2 Figures will be collated monthly and specifically the number of incidents, Crime related incidents, Incident initiated by CCTV and number of arrests will be monitored.

6.1.3 An annual report will be produced and circulated to Councillors, Community Safety Partners and available on the website.

This report will include;

- An overview of the year
- Total Number of Incidents
- Total Number of reviews carried out
- Total Number of incidents resulting in tape seizures
- Total Number of tapes seized
- Total Number of tapes returned
- Total Number of incidents resulting in arrests
- Total Number of arrests made
- Total Number of Calls from shop/pub radio links
- Total Number of Incidents initiated through CCTV observation
- A break down of performance by each camera zone
- A maintenance report
- A look forward to the oncoming year, including any proposed changes to the scheme, and the aims and objectives.

6.2 Period Review

6.2.1 The CCTV scheme will be reviewed every **5 years** to ensure it is meeting it's objectives and purpose.

6.2.2 The review will be carried out by the CCTV and Lifeline Manager and Deputy Head of Street Scene and Community.

7 Public Engagement

7.1 Signage

7.1.1 Members of the public are informed that CCTV is present by the use of signage on entry to space being monitored. The signage is appropriately sized according to its location and contains the Bromsgrove District Council Customers Service Centre number for any enquires. The signage clearly states that Bromsgrove District Council are the owners of the system.

7.2 Subject Access Request

7.2.1 Individuals whose images have been recorded have a right of access, which usually involves being provided with a copy of the images. On receiving a Subject Access Request, appropriate identification and a fee of £10, images will be provided within 40 days. Where images can not be provided the individual will be informed within 40 days.

7.2.2 There is a leaflet available informing members of the public how to apply for access to images of themselves, and a form which must be completed.

7.2.3 If footage produced could be used to identify other persons then they must be obscured or their permission granted.

7.2.4 Bromsgrove District Council may deny access to images if it is not possible to produce them, or producing them would involve disproportionate effort or if not satisfied of the identity of the enquirer. Access may also be denied if giving the information could prejudice the prevention/detection of a crime or the apprehension and prosecution of offenders.

7.2.5 Footage will be provided in an appropriate format. In some circumstances it may be possible to arrange for a viewing of relevant material.

7.2.6 Subject Access Requests will be coordinated by the CCTV and Lifeline Manager and Information Access Officer.

7.3 Freedom of Information

7.3.1 As a public Authority Bromsgrove District Council have a responsibility to respond to Freedom of Information requests.

7.3.2 Any such requests must be made in writing to the CCTV and Lifeline Manager or the Information Access Officer. The Council has 20 days to provide the information subject to any exemptions.

7.3.3 If the information required is about the requester themselves the request should be treated as a subject access request and the relevant form completed.

7.3.4 Images of other people who can be identified are classed as personal data under the principals of the Data Protection Act, and will not be disclosed.

7.4 Comment and complaints

7.4.1 All complaints, queries and comments from members of the public will be handled according to Bromsgrove District Council Customer First Policy. This will be available to the Public in a leaflet 'Your Council – Your Services'

7.5 Interpretation

7.5.1 This document can be explained by an interpreter or translated if required.

7.6 Consultation

7.6.1 Public Feedback will be sought via the CAA Place Survey, the West Mercia Constabulary Crime Survey and the Bromsgrove House Survey.