

CLOSED CIRCUIT TELEVISION SURVEILLANCE SYSTEM

CODES OF PRACTICE IN COUNCIL BUILDINGS

Document Control Information	
Document Reference	CCTV Codes of Practice – Council Buildings
Issue Date	September 2010
Status	Approved
Approved By	Information Governance Board
Next Review Date	August 2011
Author	Peter Woodhouse
Distribution	Corporate Information Manager, Information Governance Board

1. Introduction

The aim of this Code of Practice along with the Council's Closed Circuit Television Surveillance System Codes of Practice is to ensure that any council employee or any member of external staff involved in running CCTV systems in property owned by Calderdale MBC understands the principles, which govern the operation of CCTV cameras in a Council owned property.

The purpose of CCTV cameras in all Council owned property is to improve security and provide additional protection to members of staff and the public using the facility.

This Code of Practice sets out the framework for the CCTV system and how it will be used.

The CCTV system will not be used for any other purpose than those set out in this document without prior approval of the Council Leader and Chief Executive and where appropriate notification to staff and other partners.

The day-to-day management of the CCTV systems in this Council owned property will be the responsibility of the Buildings Manager or designated officer for that system, in liaison with the Corporate Information Manager and Public Space CCTV Manager.

2. Legislation

CCTV operations are subject to legislation under:

2.1 The Data Protection Act 1998 (DPA).

2.2 The Human Rights Act 1998 (HRA).

2.3 The Freedom of Information Act 2000 (FOIA).

2.4 The Regulation of Investigatory Powers Act 2000 (RIPA).

2.5 This Code of Practice and Council policies, procedures and guidelines.

It will be rare for small building CCTV systems to be required to respond to requests for assistance under RIPA but Responsible officers must adhere to the Councils procedures as set out by the Head of Democratic & Partnership Services.

It is important that the operation of the CCTV system complies with these Acts, Council policies, procedures and guidelines governing this Code of Practice. This is to ensure that the Council, its staff running the system along with the public is protected from abuses of the CCTV systems.

When clarification is required the Buildings Manager will contact the Corporate Information Manager and RIPA Officers or the Councils CCTV Manager where appropriate.

The Head of Democratic & Partnership Services should be contacted in all cases when and external RIPA request is received.

3. Purpose Statement

3.1 It is important that staff and those charged with operating the system understand exactly why the system has been introduced and what it will and will not be used for.

The key objectives of the CCTV cameras in Council owned buildings are

- To enhance premises security.
- To protect any member of the Council or its partners staff, or members of the public using the building
- To deter and detect crime allay the fear of crime and anti-social behaviour.
- To assist in the identification of offenders leading to their arrest and successful prosecution.
- To discourage aggressive or violent behaviour towards staff.
- To reduce staff's fear of crime or aggressive or violent behaviour.
- To provide evidence in cases of alleged illegal activity.
- To assist staff in the safe operation of equipment and where appropriate assist in the training of staff.
- To help investigate breaches in Health and Safety incidents, investigate formal complaints or to resolve Grievances. Details of how and when CCTV may be used in these circumstances are covered in the relevant policy documents.

3.2 Privacy

Calderdale MBC respects and supports individual's entitlement to go about their lawful business and this is a primary consideration in the operation of the system. Although there is inevitably some loss of privacy when CCTV cameras are installed, cameras will not be used to monitor the progress of individuals in the ordinary course of lawful business in the area under surveillance. Individuals will only be continuously monitored if there is reasonable cause to suspect an offence has been, or may be, about to be committed and this will only be permitted by use of a RIPA authorisation.

3.3 Cameras

All cameras are sited so that they are clearly visible and publicity is given that the CCTV system is in operation at the site by clear signing. This will ensure that both the maximum deterrent value is achieved and that the public and partners staff, are clearly aware when they are in a monitored area. This Code of Practice is a public document and is to be available to all users of the building by displaying on a notice board.

Where 'Covert' cameras have been authorised for deployment for a specific purpose, signage will not normally be erected.

The system **will not and does not utilise non-functioning or “dummy cameras”** as these can often increase the deterrence value of a CCTV scheme, but they can also dangerously mislead the public or staff, who may believe that they are in a monitored area when in fact they are not. This could compromise their safety and are therefore not used in this facility.

The system does not record any sound

3.4 Viewing Images and the Provision of Evidence

The provision of evidence or viewings will normally be requested either by the police, other enforcement agency or another Council department conducting an investigation into criminal activities or by the Corporate Information Manager and RIPA Officer/s for potential disciplinary issues. The release of evidence or permission to view images may only be authorised by the Corporate Information Manager and or RIPA Officers or the Councils CCTV Manager or in their absence, the Head of Community Safety Where enforcement agency requests copies of an image, one copy is to be made but there is not a requirement for the Corporate Information Manager or RIPA Officers to retain or produce any further copies.

In all cases where access to download/s is authorised The Building Subject Access Request form will be completed.

If the matter concerns a member of staff, this is an internal matter clarification will be sought guidance from the Head of Democratic & Partnership Services.

Once authorised, arrangements will be made to enable the investigating officer to view the images and if necessary be issued with two copies of recorded material on suitable recordable media.

The reason for the second copy is that if it is decided to use CCTV images in a hearing the person being investigated must be given a copy of the images to permit them to mount a

defence. At the end of the hearing ALL copies of the images are to be collected by the Corporate Information Manager or RIPA Officer held on file and destroyed once any appeals process or actions involving an Employment Tribunal have been completed.

It is critical that a full and detailed record is kept of all viewings of the systems and all instances when images are issued. This information must include date, time, camera number and location of the incident. The date time, name and contact details of the person viewing or removing images. The reason for the viewing/issue of images and the person's signature. Any media containing images should be uniquely marked and the number recorded for ease of identification.

3.5 Third Party Access

Access to download/s may be requested by third parties in connection with a civil dispute by individuals or their legal representatives in connection with criminal or civil proceedings the Access Request Form must be adhered to see **Appendices 1** and the Codes of Practice Agreement Form completed see **Appendices 2**.

4. Recording Systems

This CCTV system uses a digital recording system. Digital systems use computer hard drives to record camera images and Compact Discs or DVD media to transfer copies of images. Guidance is given below. Analogue tapes if in use will be treated in the same manner.

All staff required to operate CCTV equipment will receive training in the use of the equipment and must conform to this Code of Practice at all times.

They will be required to sign a 'Confidentiality Statement' which prohibits them from making any material available for purposes other than those stated in the Code of Practice. Any other staff member having access to the equipment will also sign confidentiality statement. Once signed, the confidentiality statement should be placed in the persons 'Personnel' file.

Except for evidential purposes images and in exceptional circumstances for staff training, images will not be copied in whole or in part. When used for staff training, permission must be obtained from anyone in the images and all images must be destroyed once the training is complete.

Recorded material will not be sold or used for commercial purposes or the provision of entertainment. Images provided to the Police or other enforcement or investigatory agencies shall at no time be used for anything other than the purposes for which they were originally released.

Recording equipment will be kept in secure accommodation and no access will be granted to unauthorised staff.

Recorded materials may need to be submitted as evidence in criminal proceedings or for disciplinary hearings and therefore must be of good quality, and accurate in content. All material provided as evidence will be treated in accordance with clearly defined procedures either under the Police and Criminal Evidence Act (PACE) or this Code of Practice and the Council's CCTV Codes of Practice 2009 to ensure continuity of evidence and to ensure a clear audit trail.

4.1 Digital Recording Systems

The digital recording system links its cameras to a digital-recording machine which records its cameras images onto a computer hard drive and then recording media (DVD'S, USB memory sticks etc) are used to make copies of the images available to investigating officers instead of using traditional videotapes.

A library of CDs or DVDs should be maintained for the provision of evidence from the hard disc recorder. Discs may only be issued for investigation and evidential purposes.

Routine recordings will be retained for a period of approximately 31 days on the hard disc and will then be over written. Specific evidential material will be retained in a separate temporary file on the hard disc or USB Stick for the period of the investigation or prosecution and then be deleted.

Details of viewing of digital images will be logged in the buildings CCTV Register, which shall be maintained by the Buildings Manager and in some cases by the Councils CCTV Manager.

4.2 Control of Images

All images will remain the property and copyright of Calderdale MBC.

Each new recording media must be clearly marked with indelible ink before it is brought into operation.

Each use or issue of a recording media will be noted in the CCTV Register. Unused media or media awaiting issue will be held in a secure cabinet in such a way that completeness of the archive is immediately apparent. The CCTV register and the Subject Access request forms will be stored in a secure place.

All recording media will be erased prior to reuse or disposal.

4.3 Evidential Images on Recording Media

A record will be made in the CCTV Register of the release of any recorded images to the Police or to other authorised applicants. A certificate, accepting responsibility for the recorded images will be signed **before** the media is allowed to be removed from site.

5. Potential Disciplinary Matters and Security

- 5.1 Tampering with cameras, monitoring or recording equipment, images or recorded data by
Any employee's member of staff may be regarded as misconduct and could lead to disciplinary action, which may result in dismissal or criminal prosecution.
- 5.2 Any breach of this Code of Practice will be regarded as a serious matter. Staff/s who are in breach of this Code of Practice will be dealt by the relevant employer's code of conduct.
- 5.3 The responsibility for guaranteeing the security of the system will rest with the Buildings Manager of the system concerned, who will, in the first instance, investigate all breaches or allegations of breaches of security and will report his/her findings to the Corporate Information Manager.

6. Complaints

Complaints about the operation of a system should be addressed to the Buildings Manager. Complaints will be dealt with in accordance with the Council's formal complaints procedure.

7. Additional Information

The following documents are available from the Calderdale MBC or on the web:

A copy of this and the Council's own Closed Circuit Television Surveillance System Code of Practice 2009

A copy of the Council's Codes of Practice for Council Buildings

www.calderdale.gov.uk

Status

This policy was approved by the Corporate Information Governance Board. It will be reviewed every 2 years.

Contacts

[Calderdale MBC]

[unclassified]

Peter Woodhouse, CCTV Manager, Ext. 4343, peter.woodhouse@calderdale.gov.uk

Tracie Robinson, Corporate Information Manager, Ext. 2298,
tracie.robinson@calderdale.gov.uk

Appendix 1

Subject Access Request Form

Information on how to apply for access to information held on the Calderdale MBC CCTV System.

Subject to certain exemptions you have a right to be told whether any personal data is held about you.

You also have a right to a copy of that information in a permanent form except where the supply of such a copy is not possible or would involve disproportionate effort, or if you agree otherwise.

Calderdale MBC will only give that information if it is satisfied as to your identity. If release of the information will disclose information relating to other individual/s, which can be identified from the information, the Council is not obliged to comply with an access request unless –

The other individual/s consent to the disclosure of information or the individual/s and vehicle registration details are blanked out. These works could be time consuming to achieve and the related costs for these works to be carried will be charged to the person requesting the access information.

A charge of £35.00 will be levied for a review of an incident/occurrence and a charge of £60.00 will be levied for a down load of the incident/occurrence. Other charges may be levied if personal information from other persons not connected with the person making the request has to be excluded in the down load.

Please complete and return the Subject Access Request form and return it to the Corporate Information Manager, Westgate House, Westgate, Halifax, HX1 1PS.

Appendix 2

Codes of Practice Agreement Form

Name.....



Company/Agency.....

Address.....

.....

.....

.....

I have read the Calderdale MBC Closed Circuit Television Surveillance System Codes of Practice and I agree to comply within all the conditions and guidance therein.

Signed.....

Dated.....