

CODE OF PRACTICE FOR THE MANAGEMENT OF PUBLIC CLOSED CIRCUIT TELEVISION SYSTEMS

1. INTRODUCTION

- 1.1 The Council, with the Police and other partners in the Community Safety Partnership aim to address crime and the fear of crime within the borough.
- 1.2 CCTV is recognised as an important element in the prevention and detection of crime and as a way of reassuring the general public
- 1.3 This Code of Practice has been designed to ensure that the public CCTV schemes operating in the borough are managed effectively and regulates how the CCTV systems are used. This is an essential document to ensure both personal privacy, human rights and civil liberties are respected and preserved.
- 1.4 The Code will be subject to regular monitoring and review, to include consultation as appropriate with the police and other interested parties.
- 1.5 It is supplemented by an operator's procedure manual, giving detailed instructions on all aspects of the operation of any system, to ensure the objectives and principles set out in this Code of Practice are strictly adhered to.
- 1.6 This code applies to all CCTV systems owned and operated by Broxbourne Council

2. OBJECTIVES OF CCTV IN BROXBOURNE

- 2.1 The primary objective of CCTV in Broxbourne is to provide a safer public environment for the benefit of those who live, work and visit the area. The key objectives of the scheme are to:
 - reduce the fear of crime and reassure the public
 - prevent, deter and reduce crime
 - prevent and reduce anti-social behaviour
 - identify actual incidents and possible suspects
 - assist the police in investigating crimes
 - assist the local authority in pursuing civil actions
 - assist the local authority in improving the environment
- 2.2 The CCTV schemes are intended to view and monitor activity in public areas.

3. PRINCIPLES

- 3.1 Any scheme will be operated fairly, within applicable law, and only for the purposes for which it is established or which are subsequently agreed in accordance with the Code of Practice.
- 3.2 Any scheme will operate to ensure the privacy of the individual.
- 3.3 The public interest in the operation of the scheme will be recognised by ensuring the security and integrity of operational procedures.
- 3.4 Participation in the scheme by partners in the Community Safety Partnership will depend upon their willingness to comply with the Code of Practice and to be accountable under the Code.

4. OWNERSHIP AND MANAGEMENT OF THE SYSTEMS

- 4.1 The Council will own and manage the systems. The Council has prime responsibility for compliance with the purposes and objectives of any scheme, for management and security of the scheme, and the protection of the interests of the public and of the individual.
- 4.2 The day to day running of the systems will be the responsibility of the Council or security staff contracted to the Council for such purpose. The Council and the local Police will liaise closely with regards to management of the systems, where applicable.
- 4.3 Council owned locations where CCTV systems operate openly and cover public areas will be clearly signed with a contact number for third parties to contact if they require information.

5. CONTROL AND OPERATION OF SYSTEMS

- 5.1 Council staff, local Police, or security staff contracted to the Council for such purpose will be appropriately trained on all the equipment, the Code of Practice and the operational manual.
- 5.2 A requirement of confidentiality will be enforced during and after termination of employment.
- 5.3 The operators of the system will be required to adhere to the Code of Practice. Council staff will be subject to the Council's disciplinary procedures in the event of breach of the Code of Practice and/or operational procedures.
- 5.4 Operators of the system must act with the utmost integrity.
- 5.5 Only staff with responsibility for using the equipment shall have access to operating controls.
- 5.6 All use of the cameras shall accord with the purposes and key objectives of the scheme and shall comply with the Code of Practice.
- 5.7 Cameras must not look into private property without permission being given.

6. POLICE CONTACTS AND USE OF THE SYSTEM

- 6.1 Relationships between the management employed by the Council and the Police, must be conducted strictly in compliance with the Code of Practice. Those requirements must not be exceeded informally, and the different roles and responsibilities of staff and police will be acknowledged and respected.
- 6.2 Officers will be identified by both the Council and the Police for day to day liaison.
- 6.3 Should a request from the Police for use of a system in any manner arise, that is not provided for by the Code of Practice, it must be the subject of a specific agreement between the Chief Executive of Broxbourne Council and the Police Divisional Commander. If permission is granted, details will be recorded on the applicable police URN log or in a book kept for the purpose, both at the time of release and recovery of the system.

7. RECORDED MATERIAL

- 7.1 Recorded Material is defined as any data that has been recorded on any medium that has the capacity to store data, and from which data can later be recovered, irrespective of time (**hereafter called the file**).
- 7.2 The file will be used only for the purposes defined in the objectives of the Code of Practice.
- 7.3 Access to the file will only take place as defined in the Code of Practice.
- 7.4 Any third party application to view or recover data from the file must be made on the appropriate data request forms.
- 7.5 The file will not be sold or used for commercial purposes, publicity or the provision of entertainment.
- 7.6 The showing of the file to the public will only be allowed in accordance with the law; either in compliance with the needs of the Police in connection with the investigation of crime, which will be conducted in accordance with the provisions of any relevant Code of Practice under the Police and Criminal Evidence Act 1984 and any advice and guidance given to the Police from time to time; or in any other circumstances provided by the law.

Ownership

- 7.7 The Council owns the data downloaded from the file and also owns the copyright of the images recorded on video tapes, cd's, dvd's, external drives or any other software (**hereafter called software media**).

Accurate Recording

- 7.8 Recording equipment must be checked weekly to ensure it is in good working order.
- 7.9 A test recording must be made monthly to check file quality.

Use of software media to record the file downloads

- 7.10 A library of software should be maintained. Each file will be given a unique reference number.
- 7.11 Files used for evidential purposes must be separately indexed and stored separately to avoid accidental re-use.
- 7.12 Images downloaded from the file onto software media should be copied from the original storage medium in the original file format onto a secure media. This secure software media could be Write Once Read Many (WORM) or secure network storage.
- 7.13 Once downloaded onto a secure software media system access to such should be restricted to prevent overwriting or altering of the images or data stored.

Cataloguing, Storage and Recording of Use of Software Media

- 7.14 Software media must be stored in a lockable dispenser. Access to the dispenser will be authorised by the Council.
- 7.15 The storage space will be kept dry and clean in surroundings appropriate for software media and each file must be individually and uniquely identified and labelled.
- 7.16 A register must be maintained giving the exact date and time of each use of the software media, recording the whereabouts of the software media, the reason for its removal, and the individual responsible for it.
- 7.17 The register must also be securely stored.
- 7.18 The register will also be the subject of a regular audit

Evidential use of downloads to software media

- 7.19 Software media required for evidential purposes shall be treated as exhibits and shall be retained and stored according to procedures agreed with the Police.
- 7.20 Any software media provided for evidential purposes must be of proven integrity.
- 7.21 Operating staff will be required to provide the Police with statements required for evidential purposes.

Police Access to Software Media

- 7.22 The Police may apply to Broxbourne Council for access to recorded files where they reasonably believe that access to specific data is necessary for the investigation and detection of a particular offence or offences or for the prevention of crime. The Duty Officer will authorise an appropriate police personnel to collect the file from the Council. The appropriate form will be filled in and signed by the investigating officer and dealt with in accordance with the instructions.
- 7.23 The file will be dealt with as an exhibit and an appropriate witness statement will be sought from Council staff or security staff contracted to the Council for such purpose.

- 7.24 The Police may obtain access under the provisions of the Police and Criminal Evidence Act 1984.
- 7.25 Software media downloads provided to the Police shall at no time be used for anything other than the purpose specified and identified when the software media is released to the Police by the Council.
- 7.26 Where software media has been exhibited and used in evidence in court proceedings, disposal of the software media will be decided by the court and carried out by the Police, following retention for 'appeal' purposes (6 years).
- 7.27 Where software media has been taken by the Police and is not being used for evidential purposes, the software media must be returned to the Council with 14 days.
- 7.28 Where the software media has been retained for evidence the outcome of the case will be passed to the Council for recording against the original data request application.

8. PUBLIC INFORMATION

- 8.1 This Code of Practice is a public document and will be available for inspection

9. ACCOUNTABILITY

- 9.1 An annual Report will be produced by the Council in partnership with the Police. The Annual Report will include crime statistics, details of Police requests for tapes and the results of those requests and visits to the Council.

10. ASSESSMENT OF THE SCHEME AND CODE OF PRACTICE

- 10.1 The Council will ensure the scheme is evaluated at regular intervals to assess the following:
- impact upon crime
 - impact on neighbouring areas without CCTV
 - the views of the public
 - the operation of the Code of Practice
- 10.3 The Council officer with the day to day responsibility for the scheme will continuously monitor the operation of the scheme and the implementation of the Code of Practice
- 10.4 Any changes to the Code of Practice will be undertaken through the Council's normal consultation process and will involve the Police and local residents (where applicable).

11. COMPLAINTS AND BREACHES OF THE CODE INCLUDING THOSE OF SECURITY

- 11.1 All complaints will be dealt with in accordance with the Council's and the Police's complaints procedures. Leaflets detailing formal complaint procedures will be available at relevant distribution points.
- 11.2 The security of the system will be the responsibility of the Council.

11.3 Breaches of the Code of Practice and of security will be the subject of proper investigation by the person identified to conduct the audit. This person will be responsible for making recommendations to the owner to remedy any breach which is proved.

11.4 Where a serious breach occurs, the Council will appoint an individual, independent from the operation of the scheme, to investigate the breach and make recommendations to the owner on how the breach can be remedied.

12. DATA PROTECTION

12.1 Guidance will be sought from the Data Protection Registrar to determine whether the scheme should be registered under the Data Protection Act 1984 and accords with the requirements of the Data Protection Act, 1998.

Broxbourne Council would like to acknowledge the use of the Local Government Information Unit's "A Watching Brief: A Code of Practice for CCTV" in the preparation of this Code of Practice.