

STROUD DISTRICT COUNCIL
CCTV SURVEILLANCE
SCHEME

CODE OF PRACTICE

2010

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Code 1 – Introduction

1.1 Objective of the Code

This Code of Practice is intended to ensure that the Closed Circuit Television Schemes owned by Stroud District Council are operated in line with good ethical practices and are not open to the abuse of individual's civil rights and privacy.

This Code of Practice is available to any person reasonably requesting to examine it. The system is operated within the requirements of the Data Protection Act 1998 and the European Convention on Human Rights.

1.2 Operating Procedures

The code of practice is supplemented by a separate manuals giving instructions on all aspects of the operation of the CCTV schemes –**Stroud District CCTV Schemes – Operating Procedures Manuals**'. The manuals will be based on the code of practice, to ensure that the principles and purposes on which it is based are realised.

1.3 Stroud District Working Group

A District-wide CCTV user group has been formed to provide an independent overview of the scheme, including monitoring the Code of Practice; ensuring the protection of civil liberties and to represent the interests of all organisations, which are supporting CCTV in the Stroud District.

1.4 CCTV Scheme Owner

The owner is Stroud District Council:

Stroud District Council
Ebley Mill
Ebley
Stroud
Glos
GL5 4UB

1.5 Scheme Operating Responsibility

Responsibility for the operation of the schemes rests with:
The nominated manager within each service.

1.6 Data Controller

Stroud District is the Data Controller of the scheme. Enquiries regarding Subject Access should be made to:

The Chief Executive
Stroud District Council,
EBLEY MILL
GL% 4 UB

1.7 The Scheme

1.7.1 General description

The CCTV systems are described in more detail in each of the Operating Procural Documents of each scheme of CCTV consists of 29 fully operational cameras at all of the Council's Sheltered Housing Schemes across the District.

1.7.2 Recording

Images from all cameras are recorded according to Operating procedures within each Service areas requirements.

1.8 Recorded Material

For purposes of this Code recorded material means any material recorded by, or as a result of technical equipment, which forms part of the Stroud District Council CCTV Scheme. It includes images recorded on vDisc or by way of copying and includes video prints.(Electronic or Hard Copy) None of this information shall be copied, reproduced or passed to a third party without express permission signed for by a named Strategic Head of |Service. This does not absolve the Owner from providing data to interested persons under the requirements of the Data Protection Act and Stroud District Council Sheltered Housing CCTV Code of Practice.

Code 2 – Purpose Statement

Principles

The schemes will be operated fairly, and only for the purposes for which they were established.

The CCTV schemes are operated with due regard to the Data Protection Act 1998 and the Human Rights Act 1998.

The public interest in the operation of the scheme will be recognised by ensuring the security and integrity of operational procedures.

2.1 Purposes

The main purposes of the CCTV schemes are as follows:

- To help secure a safer environment for those people who live, work, trade and socialise in the particular scheme, and those who visit the scheme.
- To help reassure the residents and their visitors, and create a reduction in the fear of crime.
- To prevent, deter and detect of crime, including:
 - Helping identify, apprehend and prosecute offenders;
 - Providing police and council with evidence to take criminal and civil action in the courts;
 - The maintenance of public order.
- To enable 24 hour monitoring of the designated areas.
- To enable clear identification of offenders within the range of cameras.

The schemes will be used in such a way as to safeguard the privacy of law-abiding individuals. It shall not be used to invade the privacy of any such individual in residential, business or other private premises, building or land.

2.2 Key Objectives

The following are a list of the key objectives of the Stroud District Council Sheltered Housing CCTV scheme in relation to:

- To improve the general security within area of the scheme, both in terms of personal security and security of buildings and premises, to make the scheme and its communal areas a more safer and attractive area in which to live, and to reduce the 'fear of crime'.
- To reduce the level of crime and public disorder at the scheme.
- To prevent, detect or reduce the incidence of property crimes and violent offences against the person.

- To reduce graffiti, vandalism and other criminal damage to improve the environment and reduce costs.
- To create a sense of security and well being the public and staff as appropriate.

2.3 Changes to the purpose / objectives

Before any change is made to the purpose or objectives Stroud CCTV schemes all interested parties must be consulted.

2.4 Excluding offences and certain types of behaviour

People who enter the area whose behaviour or dress is different to the 'norm' shall not be discriminated against by the use of the scheme.

2.5 Provision of evidence

Other bodies or authorities may request to use the CCTV scheme to secure evidence of specific types of offences. The Data Controller upon receipt of the request will consider these requests.

Code 3 – Data Protection and Human Rights

3.1 Data Protection Legislation

The CCTV systems are registered under current Data Protection Legislation.

All data is processed in accordance with the principles of the Data Protection Act 1998, which is summarised form, includes, but is not limited to:

- i. All personal data will be obtained and processed fairly and lawfully.
- ii. Personal data will be held only for the purposes specified.
- iii. Personal data will be used only for the purposes, and disclosed only to the people shown within these codes.
- iv. Only personal data, which is adequate, relevant and not excessive, will be held in relation to the purpose for which they are obtained.
- v. Steps will be taken to ensure that personal data is accurate and where necessary kept up to date.
- vi. Personal data will be kept no longer than necessary.
- vii. Procedures will be implemented to put in place security measures to prevent unauthorised or accidental access to, the processing of data.
- viii. Individuals will be allowed access to information held about them and where appropriate, permitted to correct or erase it.

3.2 Access by Data Subjects

Any request from an individual for the disclosure of personal data, which he/she believes to be recorded by virtue of system, will be directed to:

**Head of Community Safety Service
Stroud District Council
Ebley Mill
Ebley
Stroud
Glos
GL5 4UB**

3.3 Exemptions to the provision of information

In considering a subject access request for information, reference may also be made to Section 29 of the Data Protection Act, which includes, but is not limited to, the following statement.

Personal data processed for any of the following purposes

- i. The prevention or detection of crime.
- ii. The apprehension or prosecution of offenders.

Are exempt from the subject access provisions in any case “likely to which the application of those provisions to the data would be likely to prejudice any of the matters mentioned in this subsection.

NB. Each and every application will be assessed on its own merits and general “blanket exemptions” will not be applied.

3.4 Human Rights Legislation

The scheme is operated with regard to, an in accordance with Human Rights Act 1998.

Code 4 – Changes to the Code

4.1 Changes

Changes to the Code of Practice (i.e. will have a significant impact upon the Code or operation of the system) will only take place after consultation with, and agreement of Stroud District CCTV Working Group.

Code 5 – Responsibilities of the Owner and Operator of the Scheme

Principles

The owner and operator has responsibility for compliance with the purposes and objectives of the scheme, and for management and security of the scheme.

5.1 Accountability

The owner and operator will comply with the requirements for accountability. The will consult with and provide information to the public about the operation of the scheme and any changes to the system or Code of Practice as required

Code 6 – CCTV User Group

Principles

The User Group will act as a consultation and monitoring group in accordance with the code of practice.

6.1 Duties of the User Group

Appendix 2 shows the organisational chart for the User Group.

Members of the CCTV User Group will:

- Introduce arrangements for decision making within the members of the group.
- Reach a consensus on monitoring and audit the scheme and the Code of Practice, including changes to the scheme.
- Regularly hold meetings to review quarterly and annual reports.
- Act as independent investigators with regard to any complaints received.

Code 7 – Management of the Scheme

7.1 Management of the Scheme

The day to day management shall be the responsibility:

Each Service Manager as identified in the Operating Procedures of that CCTV Scheme

Code 8 – Installation

8.1 Cameras

Cameras should not be hidden but so far as is consistent with the purposes of the scheme be placed in public view.

8.2 Sound

No sound will be recorded in public places.

8.3 Change

Before the introduction of major technological change that will have a significant effect upon the capacity of the system, the implications must be fully assessed in relation to the purpose and key objectives of the scheme and should be the subject of consultation as if for the purpose of installation of the scheme.

The introduction of technological change should be linked to the assessment process adopted under this Code of Practice and precise definitions made of the standard, which is hoped to achieve.

8.4 Dummy cameras

Public confidence afforded by the system will be based on effective operating cameras and dummy cameras are not permitted and therefore will not be used.

8.5 Signs

Signs that CCTV cameras are operating will be displayed at the perimeter of the area covered by the scheme and at other key points. (Note: there is no requirement to place signs below cameras).

The signs will inform the public that cameras are in operation and allow people entering the area to make a reasonable approximation of the area covered by the scheme.

Where schemes are operating outside building the Name of the Scheme Owner i.e. SDC plus a contact number will be displayed on the sign

Code 9 – Accountability

Principles

Accountability the responsibility of the District Council and the Council are accountable within the organisation, to the public, and to each other, and should identify ways in which these responsibilities can be carried out without compromising their integrity, and with a willingness to be open to change.

9.1 Public Information

Copies of the Code of Practice including the complaints system must be available in accordance with the Code of Practice.

Code 10 – Residential Areas

Principles

Individual privacy will be safeguarded, and private and family life, and the home respected.

The use of cameras must be acceptable to local people.

These principles and this part of the code apply to the operation of cameras in areas which have the capacity to oversee a residential area.

10.1 Residential Areas

The scheme will operate in a manner that is sensitive to the privacy of people living and working in the area and will be managed to block views of Private Property from camera access

10.2 Future additions to the scheme

The above principles will be complied with before the adoption of any change to the scheme, which involved residential areas.

Code 11 – Monitoring

Principles

To monitor service compliance with the requirements of the code of practice and operational guidance.

11.1 Monitoring

The individuals with day-to-day responsibility for the system will continuously monitor the operation of the system and the implementation of the Code of Practice. This will include, when necessary, the input of the contractor responsible for the maintenance and service of the equipment under the terms of the contract with them.

11.2 Audit

Regular audit of the operation of the system and the Code of Practice will be undertaken by the nominated officer/officers.

Code 12 – Human Resources

Principles

Well trained and responsible staff with good working conditions is essential for the proper and effective working of the scheme.

Integrity and efficiency of staff will be achieved through effective recruitment, selection, training and management.

All procedures concerning staff should accord with employment practice incorporating equal opportunity standards.

Systems providing security and safeguards for recorded material and the system itself are the core of good management of the scheme.

In the event of standards laid down in the code not being maintained, disciplinary procedures will be implemented.

Code 13 – Breaches of the Code including those of Security

Principles

13.1 Responsibility

Security is responsibility of both the Operator and Owner.

13.2 Resources

Sufficient resources and facilities must be made available to enable that responsibility be fulfilled.

13.3 A serious breach of the Code

Breaches of the Code must be subject to a proper investigation, initially by the Head of Community Safety. That person shall be responsible for making recommendations regarding any necessary action in line with District Council's Discipline Procedures.

Code 14 – Control and Operation of Cameras

Principles

Information recorded should be accurate, adequate, and relevant and not exceed that necessary to fulfil the purpose of the scheme.

Information recorded should be obtained fairly and in accordance with the provisions of the code of practice on privacy.

14.1 Responsibility

Only staff with responsibility for using the system shall have access to operating controls.

14.2 Privacy

Cameras must not be used to look into any private property.

Code 15 – Access to and Security of Monitors

Principles

Only those with a legitimate reason to do so will operate or view the equipment and output whether recordings or photographs.

Regard must be had to the provisions of the Code of Practice on privacy.

15.1 Monitors

Access to view monitors, whether to operate the equipment or to view images is limited to persons with legitimate need.

This would normally include but not be limited to, the Police, nominated Manager, Supported Housing staff, Neighbourhood Warden or any other Stroud District Council staff deemed appropriate.

Code 16 – Recorded Material

16.1 Statement of Intent

Recorded material will only be used for the purposes defined in this Code. Access to recorded material will take place as defined in this Code.

Recorded material will not be sold or used for commercial purposes or the provision of entertainment. This is to include private viewing by operators.

The showing of recorded material 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 a crime, which will be conducted in accordance with the provisions of any 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 law.

16.2 Ownership

Ownership of the recorded material is given in the introduction to this Code of Practice, Code 1.4.

16.3 Use of tapes

A weekly test will be made on every machine and recorded in a log book and failure of equipment reported to the appropriate officer as identified in the Operating Procedure manual of the appropriate Scheme in the first instance.

16.4 Evidential use of recordings

Recordings required for evidential purposes shall be treated as exhibits and shall be retained and stored according to procedures agreed with the Police. Where appropriate, procedures should be approved by a prosecuting authority.

Any such information is provided for evidential purposes must be of proven integrity.

Staff will be required to provide the Police with statements required for evidential purposes i.e. a sworn statement as to the time, date and circumstances for the notification of its existence.

16.5 Police access to Recordings

Investigating Police shall have access to specific recorded information where they reasonably believe that is necessary for the investigation and detection of a particular offence or offences or for the prevention of crime.

Police may obtain access under the provisions of the Police and Criminal Evidence Act 1984 (PACE).

Recordings provided to the Police shall at no time be used for anything other than the purpose specified and identified when the tape is released to the Police by the control room.

16.6 Third party access to recordings

Access to view recordings may be obtained in connection with civil disputes by court order or be extended to lawyers acting for defendants or victims in connection with criminal proceedings.

No other access will be allowed unless approved by the Nominated Police Inspector for reasons, which fall within the purposes and objectives of the scheme and are in accordance with the Code of Practice.

16.7 Review Equipment

Authorised investigating Police Officers shall have access to the Recorded Review Equipment for the purpose of examining for evidence.

Code 17 – Video Prints

Principles

The taking and retention of video prints shall be subject to controls.

17.1 Video prints

The taking of video prints should be capable of justification.

17.2 Production of video prints

A Police Officer may request that the operator produce a video print from a video recording. The authorising officer should be satisfied that the print is required for the prevention or detection of crime.

17.3 General

All video prints will remain the property of the Owner and will be indexed manually in sequence. A record will be kept of the reason for production of the print, date and time, the particulars of production of the print and information identifying the control room staff member responsible for producing the print, if applicable.

Any video prints released to the Police will be dealt with as an exhibit and shall at no time be used for anything other than the purpose specified and identified when released to the Police.

All video prints will be destroyed within 31 (thirty one) days unless made the subject of an application from an investigating Police Office or are required as evidence. A record will be kept of the movement of all prints and endorsed accordingly as to disposal.

The use of video prints for briefing camera operators shall be conducted strictly in accordance with advice from the Police. Unless otherwise advised by the Police, video prints:

- Should not be on display and should be kept in a binder or album.
- Should be retained only if provided by the Police for this purpose.
- Should only be seen by persons stipulated by the Police.

Code 18 – Dealing with Incidents

18.1 Dealing with incidents

- The CCTV Schemes Manager will contact the Head of Community Safety to view any relevant recordings
- The Neighbourhood Warden under the Direction of the Head of Community Safety will burn a copy from the CCTV and place in a security evidence bag and notify the Police.

Appendix 1

Stroud District Council Sheltered Housing CCTV Scheme Complaints Procedure

The scheme shall be operated in accordance with the guidelines set out in the Code of Practice.

If you wish to make a complaint about any aspect of the CCTV Scheme or the operation of the cameras, you should address your correspondence to:

**The Chief Executive
Stroud District Council
Ebley Mill
Ebley
Stroud
Glos
GL5 4UB**