



# **Charnwood CCTV System Code of Practice**

**Provided by Charnwood Borough Council**

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## Chapter 1: Introductions

### Definitions

#### 1.1 In this code:

- “1998 Act” means the Data Protection Act 2018
- “2000 Act” means the Regulation of Investigatory Powers Act 2000.
- “2012 Act” means the Protection of Freedoms Act 2012.
- “Overt Surveillance” means any use of surveillance for which authority does not fall under the 2000 Act.
- “Public Place” has the meaning given by Section 16(b) of the Public Order Act 1986 and is taken to include any highway and any place to which at the material time the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.
- “Relevant Authority” has the meaning given by Section 33(5) of the 2012 Act.
- “Surveillance Camera Systems” has the meaning given by Section 29(6) of the 2012 Act and is taken to include: (a) closed circuit television (CCTV) or automatic number plate recognition (ANPR) systems; (b) any other systems for recording or viewing visual images for surveillance purposes; (c) any systems for storing, receiving, transmitting, processing or checking the images or information obtained by (a) or (b); (d) any other systems associated with, or otherwise connected with (a), (b) or (c)<sup>1</sup>.
- “System Owner” means Charnwood Borough Council (except where specified otherwise)
- “System Operator” - person or persons that take a decision to deploy a surveillance camera system, and/or are responsible for defining its purpose, and/or are responsible for the control of the use or processing of images or other information obtained by virtue of such system.
- “System User” – person or persons who may be employed or contracted by the system operator who have access to live or recorded images or other information obtained by virtue of such system.
- “Data Controller” means Charnwood Borough Council.
- “Monitoring Provider,” refers to Charnwood Borough Council as the provider of monitoring services for CCTV Systems owned by third parties.

## Background

- 1.2 A Closed-Circuit Television System (CCTV) was introduced to Charnwood in 1996. This system, known as the Charnwood CCTV System, includes a number of cameras installed at strategic locations. Most have pan, tilt, and zoom (PTZ) functionality but a small number are fixed cameras. All images are presented in the same monitoring suite. The System is currently monitored from a Control Room situated within Charnwood Borough Council premises. The option for secondary control facilities within another Control Room is covered by this Code of Practice.

The Charnwood CCTV System has evolved from the original formation of a partnership between Charnwood Borough Council, Leicestershire Constabulary, Loughborough Chamber of Trade and Commerce and Syston Town Council. Since its implementation as well as monitoring cameras that were installed as part of the original partnership, Charnwood Borough Council now provides a monitoring service for CCTV cameras owned by a number of Parish Councils and other customers. Charnwood Borough Council, as owner of its own CCTV system and monitoring provider for other systems, is accountable for the day-to-day operation of equipment in its control, in accordance with this Code of Practice and manages those interests through a governance structure that includes: the Charnwood Strategy Group (Community Safety) and the Charnwood CCTV Operational Group.

The System is an important facility for delivering the crime and disorder reduction objectives of the Charnwood Community Safety Partnership. Partnership interests and responsibilities are managed through the Community Safety Strategy Group.

This Code of Practice has regard for the Surveillance Camera Code of Practice in 2021 by the Secretary of State, pursuant to [Section 30\(1\) of the Protection of Freedoms Act 2012](#). It also takes regard of the [Information Commissioners Office Guidance for Using CCTV](#) to:

- help in the processing of personal data lawfully and comply with the UK GDPR, the DPA 2018 and other relevant statutory obligations.
- contribute to the efficient deployment and operation of a surveillance system.
- mean that the personal data that is processed is usable and the processing can meet intended objectives.

- re-assure those whose personal data is processed.
- help inspire wider public trust and confidence in the use of surveillance systems; and
- reduce reputational risks by staying within the law and avoiding regulatory action and penalties.

The guidance also acknowledges the wider regulatory environment. For example, where public authorities intend to use video surveillance, they must comply with data protection law but also a broader framework of legal, procedural and risk-based obligations such as:

- obligations under the Freedom of Information Act 2000 (FOIA); Freedom of Information (Scotland) Act 2002 (FOISA).
- the Human Rights Act 1998 (HRA); and
- the Surveillance Camera Code of Practice issued under the Protection of Freedoms Act 2012 (PoFA).
- highlight the data protection implications of using CCTV and other forms of surveillance cameras.

### **Purpose of this Code**

- 1.3 Public realm surveillance cameras are widely deployed within the Borough of Charnwood. Charnwood Borough Council owns and monitors sixty-eight of its own CCTV Cameras and provides a monitoring service in respect of an additional 21 CCTV Cameras, which are owned by its Partners. These cameras are a valuable tool, which contribute to public safety and security and in protecting both people and property within our borough.
- 1.4 The government supports our use of overt surveillance cameras in public places, when pursuing a legitimate aim; necessary to meet a pressing need and when proportionate, effective and compliant with relevant regulatory obligations (as outlined in section 1.2).

The primary objectives of the Charnwood CCTV System which form the lawful basis for the processing of data are:-

- To help reduce the fear of crime.
- To help prevent and detect crime and provide evidential material for court proceedings.
- To deter and detect acts of anti-social behaviour including alcohol and drug related incidents.

- To enhance community safety, assist in developing the economic well-being of the Charnwood area and encourage greater use of the Town Centres
- To assist the Local Authority in their enforcement and regulatory functions within the Charnwood area
- To assist in Traffic Management and encourage safer and more sustainable use of all modes of transport.
- To assist in supporting civil proceedings
- Assisting with the maintenance of public order
- Preventing persons from committing crimes and to enhance the opportunities for detecting those who do
- Improving the safety and security of residents, visitors, and the business community
- Preventing vehicle crime in public spaces and car parks
- Identifying and preventing hate related incidents and crimes, violent and acquisitive crimes.
- To provide CCTV support for pre-planned events and operations.

Within this broad outline, the Data Controller may draw up specific key objectives (which will be reviewed annually) and propose these to the Community Safety Strategy Group based on local concerns, performance management information and strategic assessments.

- 1.5 The Protection of Freedoms Act 2012 (PoFA) led to the introduction of the Surveillance Camera code of practice (SC code) in 2013 and the appointment of a Surveillance Camera Commissioner to encourage compliance with the Surveillance Camera Code and review its operation and impact. This [Amended Code of Practice](#) was updated in 2021. In England and Wales, relevant authorities deploying overt surveillance systems should pay due regard to the Surveillance Camera Code, regardless of whether or not there is any live viewing or recording of images or information or associated data.
- 1.6 To comply with this Code and to publish how we meet the twelve guiding principles; this Code of Practice is used to ensure that individuals and wider communities have confidence that our surveillance cameras are deployed to protect and support them, rather than spy on them. We seek to conduct surveillance openly; being transparent about our powers and demonstrating our integrity and accountability in the exercise of our functions.
- 1.7 This Code of Practice sets out twelve key principles that we apply to the management and use of the Charnwood CCTV System. These principles

provide a framework for our Operators and System Users and ensure that we comply with the [Surveillance Camera code of practice \(SC code\)](#).

- 1.8 The Protection of Freedoms Act requires **relevant authorities** to take the twelve guiding principles in the Surveillance Camera Code into account.
- 1.9 This Code of Practice is published on our website and is reviewed annually.

### Scope of activity to which this Code applies

- 1.9.1 This Code of Practice applies to the sixty-eight public realm CCTV Cameras that make up the Charnwood CCTV system, which is managed by and in the care and control of the Regulatory and Community Safety service. It also applies to the 21 cameras monitored for the parish councils.

Charnwood Borough Council's Street Management Team, also make use of surveillance equipment in the form of Body Worn Cameras. Use of these Body Worn Video Recorders is covered by separate [Operating](#) Guidelines but Users of these devices will comply with the general principles contained within this Code of Practice.

- 1.9.2 Any Covert surveillance carried out via the Charnwood CCTV System, either by Charnwood Borough Council, Leicestershire Police or other public authority is not covered by this code but is regulated by the Regulation of Investigatory Powers Act (RIPA) 2000 and updated to the [Investigatory Powers Act 2016](#) and prescribed for in the Charnwood CCTV Surveillance Protocol

### Effect of this Code of Practice

- 1.9.3 Charnwood Borough Council and its Partners will have due regard for this Code of Practice when they consider that, the continued deployment of the existing CCTV Cameras that make up the Charnwood CCTV System or the future deployment of additional CCTV Cameras to observe public places, may be appropriate. The duty to have regard for this Code of Practice, will also apply if Charnwood Borough Council, or any of its Partners use a third party to discharge relevant functions covered by this code and where they enter into partnership arrangements. Contractual provisions agreed after this Code of Practice comes into effect with such third-party providers or partners must ensure that contractors are obliged by the terms of the contract to have regard to this Code when exercising functions to which the Code relates.
- 1.9.4 A failure on the part of any person to act in accordance with any provision of this Code of Practice does not of itself make that person liable to criminal or civil proceedings. However, this Code of Practice is admissible as evidence in



criminal or civil proceedings and a court or tribunal may take into account a failure by a relevant person to have regard to this Code in determining a question is any such proceedings.

## Relevant Documents

- 1.13 [Data Protection Code of Practice for Surveillance Cameras and Personal Information, issued by the Information Commissioner's Office \(ICO\),](#)
- 1.14 [The Surveillance Camera Code of Practice pursuant to the Protection of Freedoms Act 2012 \(amended 2021\).](#)
- 1.15 [Code of practice - A guide to the 12 principles](#)

## Chapter 2: Overview and Guiding Principles

### Overview

- 2.1 The growth of the Charnwood CCTV System and advancing surveillance camera technology has increased the potential for the gathering of images and associated information. Technological advances have also provided us with a greater opportunity to safeguard privacy. The appropriate use of our CCTV system provides a proportionate and effective solution where our surveillance is in pursuit of a legitimate aim and meets a pressing need.
- 2.2 It follows therefore, that this increase in capability, also has the potential to increase the likelihood of intrusion into an individual's privacy. The [Human Rights Act 1998](#) gives effect in UK law to the rights set out in the European Convention on Human Rights (ECHR). Some of these rights are absolute, whilst others are qualified, meaning that it is permissible for the state to interfere with the right provided that the interference is in pursuit of a legitimate aim and the interference is proportionate. Amongst the qualified rights is a person's right to respect for their private and family life, home and correspondence, as provided for by [Article 8 of the ECHR](#).
- 2.3 This Code has been designed to regulate that potential now and in the future. In considering the potential to interfere with the right to privacy, Charnwood Borough Council has taken account that expectations of privacy are both varying and subjective. Charnwood Borough Council and its Partners recognise that in a public place there is a zone of interaction with others which may fall within the scope of private life. The Council places appropriate signage in all areas where public realm surveillance cameras are deployed. Whilst an individual may therefore expect to be the subject of surveillance in our borough, we respect the fact that such an individual can expect that

surveillance to be both necessary and proportionate, with appropriate safeguards in place.

- 2.4 In order to gauge support for and to inform decision making in respect of the Charnwood CCTV System, the Borough Council conducts a survey. This survey seeks, amongst other things, the views of members of the public about council services.
- 2.5 Any decision that Charnwood Borough Council or its Partners make, must be consistent with a legitimate aim and a pressing need. Such aims and needs, will be clearly documented and should reflect one or more of the primary System objectives, set out in Section 1.4 of this Code of Practice. Efforts will be made to ensure that the technical design solutions for any future deployment are proportionate to the stated purpose rather than driven by the availability of funding or technological innovations. Decisions over the most appropriate technology will take into account its potential to meet the stated purpose without unnecessary interference with the right to privacy and family life.
- 2.6 Any proposal for the future deployment of surveillance cameras; either by Charnwood Borough Council in its capacity as the Charnwood CCTV System owner or in its capacity as a provider of monitoring services, will be discussed and approved by the Community Safety Strategy Group, to ensure compliance with this Code of Practice. Where appropriate, the Charnwood Community Safety Strategy Group may in certain circumstances require a level of public consultation prior to approving any such deployment/monitoring.
- 2.7 The Charnwood CCTV System Operators/Users will achieve an appropriate balance between public protection and individual privacy, thereby achieving surveillance by consent, by adopting the following single set of principles. These principles will allow both Operators and Users to establish a clear rationale for any overt surveillance, to run the System effectively, help to ensure compliance with other legal duties and maximise the likelihood of achieving surveillance by consent.

### **Guiding Principles**

- 2.8 The Charnwood CCTV System Owners, Operators and Users will adopt the following twelve guiding principles:
  1. Use of the Charnwood CCTV 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 the 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 the System as possible, including a published contact point for access to information and complaints.
4. There must be clear responsibility and accountability for all System activities including images and information collected, held, and used.
5. All relevant rules, policies and procedures should be communicated to all who need to comply with them and their signatures obtained to confirm that they have read, understood, and will comply with them.
6. No more images and information should be stored than that which is strictly required for the stated purpose of the 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 the clearly defined rules on who can gain access and for what purpose such access is granted should be complied with; the disclosure of images and information will only take place when it is necessary for such a purpose or for law enforcement purposes.
8. System Operators should consider any approved operational, technical and competency standards relevant to the System and its purpose and work to meet and maintain those standards.
9. 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 System is deployed 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 the System, which compares against a reference database for matching purposes should be accurate and kept up to date.

## Chapter 3: The Development and Use of the Charnwood CCTV System

This chapter expands of guiding principles 1-4 and their specific impact on the Charnwood Closed Circuit Television System.

**Principle 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.**

3.1.1 The Charnwood CCTV System operates in public places within the Borough of Charnwood. The primary objectives are:

- To help reduce the fear of crime.
- To help prevent and detect crime and provide evidential material for court proceedings.
- To deter and detect acts of anti-social behaviour including alcohol and drug related incidents.
- To enhance community safety, assist in developing the economic well-being of the Charnwood area and encourage greater use of the Town Centres
- To assist the Local Authority in their enforcement and regulatory functions within the Charnwood area
- To assist in Traffic Management and encourage safer and more sustainable use of all modes of transport.
- To assist in supporting civil proceedings
- Assisting with the maintenance of public order
- Preventing persons from committing crimes and to enhance the opportunities for detecting those who do. Improving the safety and security of residents, visitors, and the business

3.1.2 In continually assessing whether the Charnwood CCTV System is meeting its objectives and in designing the appropriate technological solution to do so, Charnwood Borough Council and its Partners will consider the requirements of the end user of the images, particularly where the objective can be characterised as the prevention, detection and investigation of crime and the end user is likely to be the police and the criminal justice system.

Charnwood Borough Council's CCTV Team works very closely with Officers from Leicestershire Police. The Team can provide footage to help with detection and prevention of crime by a [Data Protection Access form](#) which is stored on the Charnwood website. The CCTV Team Leader produces a record of all requests and data issued with a unique reference number which is obtained when logging a request on the online form.

3.1.3 The Charnwood CCTV System will only be used in a public place for the specific purposes set out as above. Any proposed extension to the purposes for which the System was established and images and information collected will be the subject of consultation with members of the Community Safety Strategy Group and CCTV Operational Group, before any decision is made.

**Principle 2 – 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.**

3.2.2 A Data Impact Assessment and a Privacy Impact are published on the website in order to be transparent about how the public's data will be used.

3.2.3 The Community Safety Strategy Group will review the CCTV operation including all relevant documents on an annual basis.

3.2.4 Any requests for new cameras to be installed will be reviewed by the Community Safety Strategy Group and if relevant the Community Safety Partnership.

3.2.5 Any requests for data from any agency will need to be accompanied by a Data Protection Access request form which will be reviewed and authorised by the CCTV Team Leader or CCTV Manager.

3.2.7 Charnwood Borough Council and its Partners recognise that this principle indicates the need for a privacy impact assessment process to be undertaken whenever it develops or reviews its CCTV System, to ensure that it is and remains justifiable. Where necessary, the Partnership will consult with those most likely to be affected and the impact on their privacy will be assessed and any appropriate safeguards put in place. This process enables the CCTV Partnership to demonstrate that both the necessity and extent of any interference with Article 8 rights has been considered.

**Principle 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.**

3.3.1 Signage is currently deployed at the main entrance points to the relevant areas covered and includes the following details:-

- The presence of CCTV Monitoring
- The 'ownership' of the System
- A contact telephone number for the System

- 3.3.2 There is a [list of all cameras](#) published on the website which will be updated if any cameras are moved, removed or added.
- 3.3.4 The [comments, and complaints pages](#) are clearly shown and accessed on the website and there are web forms to request new cameras and apply to access to data.
- 3.3.5 Charnwood Borough Council and its Partners will ensure effective engagement with representatives of those affected and in particular where the measure may have a disproportionate impact on a particular community. They will use their best endeavours to ensure that consultation is meaningful and conducted at a point in the process when there is a realistic opportunity to influence developments. Particular consideration will be given to the provision of Section 106 monies, connected to crime and disorder reduction.
- 3.3.6 Charnwood Borough Council, through the CCTV Operation Group, will be proactive in the provision of regularly published information about the purpose, operation and effect of the Charnwood CCTV System. It will make use in particular of the Council's Website, and pages specifically dedicated to providing information about the Charnwood CCTV System and Service.
- 3.3.7 In addition to the proactive publication of information relating to the stated purpose of the Charnwood CCTV System, we will publish on the Council's Website, information on the impact assessments that are undertaken, performance statistics and any reviews or audits undertaken.

**Principle 4 – There must be a clear responsibility and accountability for all surveillance camera system activities including images and information collected, held, and used.**

- 3.4.1 Charnwood Borough Council has established proper governance arrangements in respect of the Charnwood CCTV System. The CCTV Service sits within the Regulatory and Community Safety Team. A CCTV Team Leader is responsible for the day-to-day operation of the service. The CCTV and Enviro Crime Manager manages the overall running of the service along with the Head of Regulatory and Community Safety.
- 3.4.2 The Charnwood CCTV System is owned by Charnwood Borough Council. However, a number of district Parish Councils, own their own CCTV Cameras, which are monitored by the Council's CCTV Service. Charnwood Borough Council's CCTV Partners include:
- Leicestershire Police.
  - Nighttime Economy
  - Retail Radio

- Other services based at Charnwood Borough Council for out of hours coverage,

## **Chapter 4: The use or processing of images or other information obtained by the Charnwood CCTV System**

This chapter expands on guiding principles 5-12, which address the use or processing of images and information. It takes regard to:

[Data Protection Code of Practice for Surveillance Cameras and Personal Information, issued by the Information Commissioner's Office \(ICO\).](#)

[The Surveillance Camera Code of Practice pursuant to the Protection of Freedoms Act 2012 \(amended 2021\)](#)

**Principle 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.**

4.5.1 Charnwood Borough Council has produced this Code of Practice to aid the effective management of the System and to ensure that legal obligations affecting the use of the System are addressed.

4.5.2 The communication of this Code of Practice and the Standard Operating Procedures takes place as part of the induction and ongoing training of relevant Council staff and Partners. This should maximise the likelihood of compliance by ensuring that the System Users are competent have relevant skills and training on the operation, technical and privacy consideration and fully under the policies and procedures. All relevant Staff and Partners will be required to complete the signing off sheet to accompany this Code of Practice, to confirm that they have read, understood, and will comply with it.

4.5.4 Charnwood Borough Council currently ensures the reliability of all Charnwood CCTV System Users in the following way:-

- CCTV Operators will not be permitted to use the System until they have received appropriate training.
- CCTV Operators will have received training and assessment to the level required by the Security Industry Authority Public Space Surveillance (PSS) CCTV Standard and will be licensed by the SIA.
- Every person involved in the management and operation of the Charnwood CCTV System will be required to complete the sign off sheet, confirming that they fully understand their obligation to adhere to

the content in this document and associated documents and that any breach is likely to be considered a disciplinary offence.

- CCTV Operators will have ad hoc checks on their patrol logs to ensure compliance with the Code of Practice 12 Guiding Principles.
- CCTV Operators will be fully conversant with the contents of the Code and appropriate procedures, which may be updated from time to time.
- Arrangements may be made for a Police Officer to be present in the CCTV Control Room at certain times. Any such person must also be conversant and comply with this Code of Practice and associated procedures.
- Arrangements may be made on an ad hoc basis for other persons to be present in the CCTV Control Room at certain times. For example:
  - Other Council Staff, during the Loughborough Fair, when the CCTV Control Room is used as a base for 'Silver Control'.
  - Public Access and visits
  - Third party review of equipment

Any person entering the CCTV Control room must sign the visitors book to include date and time, name and business and time in and out on every visit.

**Principle 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.**

4.6.1 Images and information obtained from the Charnwood CCTV System will not be kept for longer than necessary to fulfil the purpose for which they were obtained in the first place.

4.6.2 The standard storage period is currently 28 days unless specific images have been 'locked down' or burned to disc for use in criminal/legal proceedings. All CCTV Operators have been trained to ensure the integrity of the evidence obtained and will record precisely how the information has been obtained, handled, stored and where appropriate passed to the Police or other prosecuting agent.

4.6.3 Any requests for data will be saved (locked down) and will not be burned to disc until the relevant agency visits to collect the data. Upon them arriving in the control room, the data is burnt to disc and logged as received with the reference number from the online form request for data. Any information that has been locked down which is subsequently not required, will be deleted as soon as practicable. A record of the deletion will be made. Recorded material



is stored in a way that maintains its integrity. This ensures that the rights of individuals recorded by the Charnwood CCTV System are protected and that the information can be used effectively for its intended purpose.

**Principle 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 to such a purpose of for law enforcement purposes.**

- 4.7.1 Access to the Charnwood CCTV Control Room is restricted at all times. Even within the Control Room, access to images that have been burned to disc for use in legal proceedings, is restricted by being placed under separate lock and key. Any person entering the Control Room is required to sign in and sign out.
- 4.7.2 Any access by persons not holding specific security clearance, either by virtue of holding an SIA Badge or being a warranted Police Officer, will be required to knock and wait until they are granted access and will sign the visitors' book. If the staff member is unsure, they should enter they should refer to the CCTV Team Leader or Manager, who will advise on a case for case basis.
- 4.7.3 The Charnwood CCTV System Operators understand the need to carefully control the disclosure of images and to ensure that disclosure is consistent with the stated purpose for which the System was established. In particular they understand that disclosure of images may be appropriate in line with the 1998 Act exemptions or were permitted by other legislations including the Counter Terrorism Act 2008. In instances where there is any doubt about the disclosure of images, CCTV Operators will seek the advice of the Council's CCTV Team Leader, who in turn may seek the advice of the CCTV Manager.
- 4.7.4 There may be other occasions when the disclosure of images to a third party is appropriate. For example, an insurance company may request footage from a car park that shows their car being damaged; saying that it is required for insurance purposes. All such requests will be considered following the receipt of an online form request.
- 4.7.3 Staff within the Council's CCTV Service will comply with the following guidelines:-
- The Council's CCTV System Operators/Advisors (providing that they have received the relevant training) may make disclosures where exemptions in the Data Protection Act 1998 and other legislation such as the Counter Terrorism Act 2008, allow such disclosures, for the

prevention and detection of crime and for national security purposes. Such disclosure is in line with the primary objectives for the Charnwood CCTV System, set out in Section 1.4. Care should be taken to disclose the minimum amount of footage necessary, to meet the aim required aim.

- The Council's CCTV Team Leader will oversee all other requests for disclosure. If in doubt about the appropriateness of any such disclosure they will seek advice from the CCTV Manager.
- The Council's CCTV Staff will ensure that their method of disclosure is secure. Police viewing of any recorded images will only be allowed in the controlled area of the Council's CCTV Control Room.
- The Council's CCTV Operators will only hand over images that have been burned to disc to the Police or other prosecuting agent unless the amount of data is too large and, in those circumstances, an encrypted USB stick may be used.
- In either case, they will ensure the continuity of the evidence disclosed, by providing a Data Protection Access request which will include details of the time and date of the disclosure, who the information has been provided to, which organisation they represent and why the information is required.
- When disclosing images to individuals, particularly when responding to subject access requests, the Council's CCTV Team Leader will consider the privacy intrusion to persons other than those making the request, as the Charnwood CCTV System does not allow for the obscuring of identifying features of other individuals in the image.
- The Council's CCTV Staff will keep a contemporaneous record of all requests for images, all image viewings, and all other disclosures.

4.7.4 All Charnwood CCTV System Operators have the discretion to refuse any request for information unless there is an overriding legal obligation such as a court order or information access rights. Once the Operators have disclosed an image to another body, such as the police, then the recipient becomes responsible for their copy of that data. If the recipient is a relevant authority, it is then the recipient's responsibility to have regard to this code of practice and to comply with any other legal obligations and regulations outlined in section 1.2.

4.7.5 Individuals can request images and information about themselves through a subject access request under the 1998 Act. Detailed guidance on this can be found on Charnwood Borough Council's Website at the following link:-

<http://www.charnwood.gov.uk/pages/cctv>

**Principle 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.**

4.8.1 Charnwood Borough Council recognises that approved standards are available to inform good practice for the operation of our CCTV system, including those developed by the British Standards Institute. Charnwood Borough Council is currently considering the approved standards, which appear relevant to the effective application of their technology to meet the purpose of the System and is taking steps to secure certification against those standards.

4.8.2 As well as owning the Charnwood CCTV System (managed by the Council's CCTV Service), to which this Code of Practice applies, the Council also uses body-worn video recorders. These are used by the Council's Street Management Team and fall outside of the care and control of the Council's CCTV Service. These body-worn video recorders, record both video and audio. Whilst their specific use is governed by separate operating procedures, the Council's Street Management Team also signs up to the principles contained within this Code of Practice. Use of these Body-Worn Video Recorders is governed by the [standard operating procedure](#) published on the website.

**Principle 9 – Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.**

4.9.1 Charnwood Borough Council has put in place safeguards to ensure the integrity of images and information, should they be necessary for use as evidence in legal proceedings. All relevant staff have received training in the secure handling of data and information and abide by this code of practice.

4.9.3 The CCTV Operators will have regard to the Code of Practice 12 Guiding Principles and regular refresher training will take place to ensure they are understood.

**Principle 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.**

- 4.10.1 Standard Local Government audit arrangements apply to the CCTV Service, including routine audits in relation to the associated use of Regulation of Investigatory Powers Act procedures.
- 4.10.2 In addition, Charnwood Borough Council will conduct an annual review of the Charnwood CCTV System, to ensure that it remains necessary, proportionate and effective in meeting its stated purpose. In support of these annual reviews, the Council has ensured the provision of routine camera re-deployment via its maintenance contract.
- 4.10.3 As part of these annual reviews, which will be conducted by the Charnwood CCTV Operating Group, consideration will be given to whether the location of cameras remains justified in meeting the stated purpose set out in Section 1.4 and whether there is a case for removal or relocation.
- 4.10.4 The Charnwood CCTV Strategy Group will undertake a periodic evaluation of the Charnwood CCTV System, to enable comparison with alternative interventions with less risk of invading individual privacy and different models of operation (to establish for example any requirement for 24-hour monitoring). In doing so, there will be consideration of an assessment of the future resource requirement for meeting running costs, including staffing, maintenance, and repair.

**Principle 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.**

- 4.11.1 Charnwood Borough Council and its CCTV Partners recognise that the effectiveness of the Charnwood CCTV System depends on its capability to capture, process, analyse and store images and information at a quality which is suitable for its intended purpose. Evidence indicates that in relation to crime prevention, detection and investigation, the Charnwood CCTV System is capable through processes, procedures, and effectively trained staff, of delivering images that are of evidential value to the Police and wider criminal justice system.
- 4.11.2 The CCTV Team Leader or CCTV Manager regularly participates in the Charnwood Crime Joint Action Group (JAG), and other associated groups

providing a support service to assist Partners to achieve their joint crime and anti-social behaviour reduction targets.

4.11.3 Any requests for covert surveillance from the Police or other agencies will be requested by using a Data Surveillance Access form (DSA) and permission to undertake the surveillance will be considered by the CCTV Team Leader or CCTV Manager and permission will be granted or rejected and communicated to the relevant officer. A copy of the form will also be sent to the Monitoring Officer at the Council.

4.11.4 The Council has safeguards in place to ensure the forensic integrity of recorded images and information and its usefulness for the purpose for which it is intended to be used. These safeguards include an all-inclusive maintenance contract with an accredited provider, which is monitored at monthly meetings to ensure that key performance indicators are being met and that all CCTV cameras are operable and fit for purpose.

4.11.5 Access to recorded images is restricted and records are kept as an audit trail of how images and information are overseen if they are likely to be used as exhibits for the purpose of criminal proceedings in court. Once there is no longer a clearly justifiable reason for retaining recorded images, they are deleted. The CCTV Team Leader ensures compliance through use of an electronic spreadsheet, which captures all relevant information, including unique reference numbers.

4.11.6 Images can be burned to disc or encrypted USB, along with relevant software, to ensure viewing of the same on any platform and without the loss of forensic integrity. In particular:-

- All members of the Council's CCTV Team are able to export images to disc from any of the Charnwood CCTV System Cameras, when requested to do so by a law enforcement agency (the Council's CCTV Service is 24/7).
- The export of images is possible without interrupting the operation of the System.
- The exported images preserve the quality of the original recording and any associated meta-data.

**Principle 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.**

4.11.7 The Charnwood CCTV System does not currently make use of ANPR or facial recognition systems which rely on information generated elsewhere such as databases provided by others.

## **Chapter 5: Miscellaneous**

This chapter covers areas of business not covered elsewhere in the Code of Practice.

### **5.1 Operation of the Charnwood CCTV System by the Police**

5.1.1 Day to day control and monitoring of the Charnwood CCTV System cameras is the responsibility of Charnwood Borough Council's CCTV Team Leader. However, the Police may request assistance in order to:

- Assist with the deployment of resources.
- Monitor potential public disorder or other major security situations.
- Assist in the detection of crime.
- Facilitate the apprehension and prosecution of offenders in relation to crime and public order.
- Assist with the detection of moving traffic offences where it is considered that public safety is at risk.

5.1.2 In circumstances when problems are anticipated, arrangements may be made for a Police Officer to be present within the CCTV Control Room for liaison purposes. This will normally apply for the duration of the incident and will be subject to the arrangements made by the CCTV Team Leader. On each occasion a record must be made in the Incident Log.

5.1.3 In "extreme" circumstances the Police may make a request to assume direction and control of the Charnwood CCTV System, to which this Code of Practice applies. Only requests made on the written authority of a police officer of Superintendent rank or above will be considered. Any such request will only be accommodated on the personal authority of the Strategic Director or designated deputy of equal standing. In the event of such a request being permitted, the CCTV Control Room will continue to be staffed, and equipment operated, by only those personnel who are authorised to do so as described in the section of this Code of Practice (Principle 5), who will then operate under the direction of the police officer designated in the written authority.

5.1.4 In "very extreme" circumstances a request may be made for the Police to take total control of the Charnwood CCTV System in its entirety, including the staffing of the CCTV Control Room and personal control of all associated equipment, to the exclusion of all representatives of the owners. Any such request must be made to the Strategic Director. A request for total and

exclusive control must be made in wiring by a police officer of the rank of Chief Superintendent or above.

## **5.2 Emergency Evacuation of the Charnwood CCTV Control Room**

5.2.1 On the occasion of the Charnwood CCTV Control Room lying within an emergency evacuation area or other building emergency, CCTV Operators will be expected to vacate the Control Room. The following procedures will be followed:

- Cameras will be focussed on the optimum positions to assist management of the incident.
- Portable handheld radio equipment and Council mobile phones must be taken by the duty CCTV Operator or CCTV Team Leader
- Leave the Control Room secure and evacuate the building using the identified safe route.
- Report to the pre-arranged rendezvous point (RVP) and update line manager.