

Redcar & Cleveland Borough Council

CCTV Code of Practice

In Respect of Public Space

Body Worn and

Vehicle Mounted Systems



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1	INTRODUCTION
1.1	Redcar & Cleveland Borough Council operates CCTV cameras within Redcar & Cleveland public space (Public Space Cameras) and within and around its premises (Premise Cameras).
1.2	The public space cameras cover public areas in town centres and other district centre and public open spaces and are operated from a central control room where the images are monitored and recorded. The public space cameras may be patched through to Cleveland Police Emergency Control Room. A general description of the locations of the Council's public space cameras can be found in CCTV Locations.
1.3	Premise cameras are systems that cover separate Council premises and will be operated in a secure environment where images can be monitored and recorded.
1.4	Public Space cameras generally operate in colour and have pan, tilt and zoom capabilities (PTZ) which means they can scan areas, focus in on people and objects and follow them. These cameras do not record sound.
1.5	The council may also record footage using: - <ul style="list-style-type: none"> • Body worn cameras (which also record sound) • Mobile cameras mounted in council vehicles • Rapid Deployment cameras
1.6	CCTV cameras and monitoring and recording equipment are owned by the Council.
2	OBJECTIVES OF USING A CCTV SYSTEM
2.1	<p>The Council's objectives in using CCTV cameras are:</p> <ul style="list-style-type: none"> • To increase safety for those people who live, work, trade within and visit Redcar & Cleveland including monitoring for security and safety purposes of Council staff and visitors in Council premises. • To assist in the deterrence and detection of crime (including environmental crime), disorder and anti-social behaviour in Redcar & Cleveland; and in the upholding of legal rights. This will include: <ul style="list-style-type: none"> ○ Helping to identify, apprehend and prosecute offenders ○ Providing evidence for criminal and civil action in the courts including preliminary investigation of claims ○ Countering terrorism • To help reduce the fear of crime and provide reassurance to the public • To assist in the overall management of public places • To assist in developing the economic wellbeing within the borough and encourage greater use of the town centres. • To assist the Council in carrying out its regulatory functions in relation to environmental health and protection, pollution control, contaminated land, health and safety, food safety, animal welfare, consumer protection, weights and measures and licensing. • To provide traffic management support and enforce relevant parking restrictions and school parking restrictions. • To provide assistance and direction in the event of a major emergency in Redcar & Cleveland.

3	STATEMENT OF PURPOSE AND PRINCIPLES
3.1	Purpose
	The purpose of this code is outline how the council uses CCTV cameras to meet its objectives in accordance with the relevant legislation and guidance
3.2	General Principles of Operation
	<p>The Council is committed to safeguarding the rights of people living, working and visiting Redcar & Cleveland. The Council will ensure that the cameras are operated in line with the principles in:-</p> <ul style="list-style-type: none"> • Human Rights Act 1998 • UK General Data Protection Regulations • Data Protection Act 2018 • Surveillance Camera Code of Practice • Regulation of Investigation Powers Act 2000 • Freedom of Information Act 2000 <ul style="list-style-type: none"> • Human Rights Act 1998 • https://www.gov.uk/data-protection • Data Protection Act 2018 • Surveillance Camera Code of Practice • Regulation of Investigatory Powers Act 2000 • Freedom of Information Act 2000
	CCTV cameras will be operated fairly, within the law, and only in so far as is necessary to achieve the purposes for which they are currently used, and which are set out in this code.
	Any other organisation, individual, including Council staff, or authority participating in the operation of the CCTV cameras or accessing footage provided by the CCTV cameras must comply fully with this Code.
3.3	Monitoring by council CCTV
	The Council's CCTV Manager or such other officers as have the day-to-day management of a CCTV or secure operating environment and CCTV footage, irrespective of their title but referred to in this Code of Practice as CCTV Manager) have unrestricted access to the CCTV Control centres and receive regular reports as and when required from the Council contractors.
	The Council's CCTV SPOC has day to day responsibility for operation of the Council's CCTV cameras and the implementation of this code
	The Council's CCTV SPOC must report on an annual basis to the relevant Director/Information Governance Group and Governance Committee with their responsibility for the CCTV camera system and processes and performance.
3.4	Copyright
	Copyright and ownership of all footage recorded from the CCTV cameras will remain with the Council. However, once there has been disclosure of footage to another body such as the police then the recipient becomes responsible for their copy of that footage

	and must comply with all applicable legal obligations. Disclosure of footage is addressed further in sections 7, 8 and 9 of this Code
3.5	Processing and Handling of Footage
	No footage will be released, including that requested by Council staff for internal work-related purposes, except in accordance with either section 7, 8 or 9 of this Code.
3.6	Breach of this Code of Practice
	If the Council fails to comply with this Code of Practice, the validity of properly imposed fines, penalty charge notices or other financial penalties issued by the Council shall not be affected.
4	ACCOUNTABILITY AND PUBLIC INFORMATION
4.1	The Public
	The Surveillance Code is clear that individuals and the public must have confidence that CCTV cameras are deployed to protect and support them rather than to spy on them. Overt surveillance in a public place which is in pursuit of a legitimate aim and meets a pressing need should be characterised as surveillance by consent and such consent should be informed consent. This is dependent on the Council operating the CCTV cameras in a transparent and accountable manner. The Council has therefore established procedures for requesting information and making complaints so that it can keep the public fully informed about the operation of the Council's CCTV cameras. See Section 11 for more details
4.2	Signage
	Signs will be prominently placed in suitable visible locations to advise people that CCTV cameras are in operation. The signs will indicate: <ul style="list-style-type: none"> • the presence of CCTV monitoring; • who is responsible for the cameras; and • the contact telephone number or e-mail address for the Council
	In the case of mobile cameras on CCTV cars, the cars have signs on them alerting the public that they record using CCTV cameras and they only operate in areas where CCTV signage is in place.
4.3	Published Information
	A copy of this Code of Practice will be published on the Council's website
5	OPERATION OF THE SYSTEM
5.1	Staff
	The Council will ensure that CCTV Control Rooms are staffed by specially selected and trained operators. The Council will also ensure that staff are aware of quality management and competency standards produced by the Surveillance Camera Commissioner and are trained in respect of all legislation appropriate to their role, including a comprehensive induction process. Operational procedures ensuring the security and integrity of the CCTV cameras' use will be approved by the Council and kept up to date
	The Council will ensure that all staff members are aware of its rules, policies and procedures relating to operation of the CCTV cameras including this Code, the ICO code and the Surveillance Code.

	The Council will ensure that staff are aware that the CCTV cameras must be operated fairly and without discrimination based on personal prejudice, and not for personal reasons or personal curiosity. Staff may be asked to justify their interest in, or recording of, a particular piece of footage as part of regular audits
5.2	Declaration of Confidentiality
	All staff working in the council's CCTV Control Room will be subject to Police Vetting and required to comply with the terms of this Code Visitors, including Council staff, to the CCTV Control Room must establish they have a lawful, proper, and sufficient reason to enter the Control Room and will also be required to confirm in writing that they accept a duty of confidentiality (see paragraph 5.3 below)
5.3	Access to and Security of the CCTV Control Rooms and Associated Equipment
	Signals from the public space CCTV cameras and certain key Council buildings are received in the CCTV Control Rooms where they are relayed onto various monitors. For reasons of security and confidentiality, access to the CCTV Control Rooms is restricted to authorised personnel only. Public access to the CCTV Control Rooms and recording facility is prohibited except for lawful, proper and sufficient reasons. Any such visits will be conducted and recorded in accordance with the Council's operational rules, procedures and guidelines. In relation to the other premises cameras appropriate measures will be put in place to ensure security and confidentiality
	Regardless of their status, all visitors to a CCTV Control Room, including inspectors and auditors, will be required to confirm in writing that they have read and accept the terms of entry to the CCTV Control Room (including the need to maintain confidentiality)
	Authorised personnel will be present at all times when the equipment in a CCTV Control Room is in use. If a CCTV Control Room is to be left unattended for any reason it will be secured. In the event of a CCTV Control Room being evacuated for safety or security reasons, the emergency procedures in the approved operational guidance will be followed
5.4	Control & Operation of Cameras
	Any person operating the CCTV cameras will act with the utmost probity at all times
	Control
	Control of the CCTV cameras lies only with those trained and authorised staff with responsibility for using the CCTV cameras, including control equipment and recording and reviewing equipment, except where special arrangements are agreed with the police as in paragraph 5.5 below.
5.5	Operation of the System by the Police
	The police may make a request to direct CCTV cameras under the Regulation of Investigatory Powers Act 2000. Only requests made on the written authority of a police authorising officer of Superintendent rank or above will be considered. If the urgency of the situation makes a written request impracticable, a verbal request from a police officer of any rank may be made. Any such request will be complied with, or not, at the discretion of the SPOC/CCTV Manager, or their designated deputy, and a record kept of that decision.
	If a request from the police is accepted, the CCTV Control Room will continue to be staffed and equipment operated by only those staff who are authorised to do so, who

	will operate the CCTV cameras under the direction of the police officer designated in the written authority or who has made the verbal request; unless the written authority requests that the CCTV cameras be operated by a designated police officer and the CCTV Manager has agreed to this.
	In very extreme circumstances a request may be made by the police to take total control of CCTV cameras, including staffing the CCTV Control Room and taking personal control of all associated equipment, to the exclusion of all staff of the Council. Any such request must be made to the CCTV Manager in the first instance, who will consult personally with the SPOC with responsibility for their CCTV Control Room. A request for total exclusive control must be made in writing by a police officer of the rank of Assistant Chief Constable or above. If the urgency of the situation makes a written request impracticable, a verbal request may be made by a police officer of that rank or above.
	A number of designated Cleveland Police officers in the Cleveland Police Command Control room, are also able to view all CCTV cameras at Cleveland Police Headquarters. Any requirement to change camera/position including use of pan. Tilt and zoom remains with the Redcar & Cleveland CCTV Control Room operators.
6	MANAGEMENT OF FOOTAGE
6.1	Guiding Principles
	<p>The Council will operate the CCTV cameras with regard to the guidance in the Information Commissioners Office Code (ICO) for looking after footage from the CCTV cameras and using the information contained in it. In this Code footage means anything recorded from the CCTV cameras, including digitally recorded footage. All footage obtained through using the CCTV cameras has the potential for containing material that may need to be admitted in court as evidence.</p> <p>The public must have total confidence that information recorded about their ordinary every day activities will be treated with due regard to their right to respect for their private and family life. The Council will therefore, irrespective of the format (e.g. paper copy, CD, DVD, or any form of electronic processing and storage) of the footage obtained from the CCTV cameras, treat it strictly in accordance with this Code from the moment it is received by the CCTV Control Room until final destruction. Every movement and usage will be meticulously recorded.</p> <p>Access to and the use of footage will be strictly for the purposes defined in this Code. Footage will not be copied, sold, otherwise released or used for commercial purposes or for the provision of entertainment.</p> <p>Footage may be released for the purposes of identification on a case-by-case basis where considered proportionate and necessary and as permitted by law.</p>
6.2	Recording Policy
	Subject to the equipment functioning correctly, images from every camera will be recorded on a continuous basis

6.3	Retention
	Where practicable all digital recording will be set to overwrite automatically at the end of the 28 day retention period. Footage may, however, be retained for longer than the usual 28 days if required, or appears likely to be required, for evidential purposes in accordance with the provisions of this Code. The appropriate additional retention period will be decided on a case by case basis by the CCTV Manager with an agreed destruction date.
6.4	Record of use of footage
	A record of all use of footage will be kept, showing each occasion on which that footage has been accessed, retrieved, recorded, viewed or disclosed. Where footage is released in accordance with this Code, a record will be kept which identifies the basis for that release, and to whom. These records will be retained for at least three years.
6.5	Storage of footage
	Footage is stored in a way that maintains the integrity of the information contained in it. CCTV footage is stored on secure servers in secure areas with limited access authorities in place. Only authorised staff may access the footage using individual logons and passwords to access the system.
6.6	Prints from footage
	<p>Prints will be treated in the same way as footage. They will only be released as permitted by this Code, and any release will be recorded.</p> <p>Where prints which contain personal images, are taken for use within the CCTV control centre, they should not be kept for longer than can be reasonably justified and should be regularly reviewed. Prints that are no longer required will be securely destroyed</p>
7	REQUESTS BY INDIVIDUALS FOR CCTV FOOTAGE (DATA SUBJECT ACCESS REQUEST)
7.1	The use of the CCTV cameras and footage captured from them will comply with the data protection principles contained in the UK General Data Protection Regulation and Data Protection Act 2018 which are set out in Appendix 1.
7.2	Requests for CCTV footage containing images of individuals
	<p>The Council will have regard to the guidance produced by the Information Commissioner's Office relating to CCTV and requests for images captured by CCTV cameras. To request access to CCTV images, applicants can visit the following https://www.redcar-cleveland.gov.uk/about-the-council/data-protection/guidance-for-data-subjects.</p> <p>Requests can also be made in writing, by post, or email to the addresses set out in section 11.1 or orally by contacting any officer of the Council.</p> <p>Images of people obtained from CCTV cameras are their personal data and they have the right to be given a copy of the CCTV footage containing their images, subject to certain exemptions. The most likely exemptions are where releasing the footage would be likely to prejudice:</p> <ul style="list-style-type: none"> • The prevention or detection of crime

	<ul style="list-style-type: none"> • The apprehension or prosecution of offenders • The assessment or collection of any tax or duty or of any imposition of a similar nature <p>Any exemptions will be considered on a case by case by the Council.</p>
7.3	Detail of data request
	Requests received will be logged by the Information Governance Team.
	<p>The Council normally destroys CCTV footage after 28 calendar days. Upon receipt of the request, the Information Governance Team will arrange for the CCTV footage to be retained while waiting for the documents referred to in paragraph 7.2.8 below. Requests will still be made to establish if the CCTV footage exists even if the date of the incident was more than 28 days ago.</p>
	<p>Where appropriate, the Information Governance Team will write to the applicant requesting the following:</p> <ul style="list-style-type: none"> • Two forms of proof of photographic identity, including confirmation of the current address of the person asking for footage • A signed letter of authority (if the request is being made through an agent such as a solicitor or insurance company) • A recent photograph of the person who is making, or on whose behalf, the request is being made <p>People asking for footage will be advised of the 28 day retention period for CCTV footage and that the CCTV Manager has been requested to keep any footage until receipt of the documents and fee (where appropriate). CCTV footage requested to be retained is kept for a period of two months.</p> <p>If the CCTV Manager is able to locate the requested footage, then they will provide a reference number to the Information Governance Team which will enable the footage to be matched to the request when the documents are received.</p> <p>If it is confirmed that no CCTV footage exists, the Information Governance Team will inform the person asking for footage or their agent.</p> <p>If it has been established that CCTV footage is held and more than two months have passed without the person asking for the footage providing the documents, then the request will be closed, and the footage will no longer be retained.</p> <p>When all the documents have been provided and where required, the CCTV team will copy the footage which will be provided to the CCTV Manager. They will view the footage to consider if it is appropriate to release it in accordance with the data protection principles.</p> <p>If the footage is to be released, then it will be sent to the person asking for the footage on an encrypted form by recorded delivery or some other secure method. The encryption key is sent separately.</p>

	Images of other identifiable individuals in the footage or their personal data such as their vehicle number plates will be pixelated.
8	REQUESTS BY THIRD PARTIES FOR CCTV FOOTAGE
	Requests for CCTV by Third Parties will be considered and provided in line with all requests – please see 7.3. Fees for such requests will be provided on application if applicable.
9	REQUESTS FOR CCTV FOOTAGE BY REDCAR & CLEVELAND COUNCIL STAFF FOR INTERNAL WORK-RELATED PURPOSES
	<p>Every request by Council staff for the release of personal images generated by CCTV cameras for internal work-related purposes will be referred to the SPOC/CCTV Manager of his/her representative.</p> <p>The member of staff submitting the request must also demonstrate that as far as reasonably practicable disclosure would be in accordance with the provisions of the UK General Data Protection Regulation, Data Protection Act 2018 and the Human Rights Act 1998.</p> <p>Any member of staff who requires guidance as to whether their request for the release of CCTV footage for internal work-related purposes is lawful and reasonable should seek advice from the Information Governance Team.</p> <p>The SPOC/CCTV Manager will determine whether it is appropriate to release the footage. Again, if necessary, advice should be sought from the Information Governance Team.</p>
10	ASSESSMENT AND REVIEW
10.1	Annual Review
	<p>The operation of the CCTV cameras will be reviewed every year in accordance with the Surveillance Code's second guiding principle, to ensure the cameras' effectiveness and compliance with the Council's objectives. The review and any proposed changes will require the completion of a data protection impact assessment known as DPIA to consider whether continued use of the CCTV cameras and any proposed changes are necessary and proportionate in terms of their effects on people's privacy rights. Less intrusive methods that meet the same needs should be considered.</p> <p>The annual review will also consider how use of the CCTV cameras complies with this Code, the ICO Code and the Surveillance Code.</p> <p>Outside of the annual review, the Council may also draw up specific key objectives based on local concerns but if it wishes to extend the purposes for which the cameras are currently used it will not do so unless:</p> <ul style="list-style-type: none"> • a data protection impact assessment has been completed • relevant individuals and organisations who may be affected by the changes have been consulted; and

	<ul style="list-style-type: none"> the SPOC with responsibility for the CCTV cameras has approved the extended purposes.
10.2	Changes to the Code
	<p>This Code will be reviewed every two years unless there is a change in legislation or policy which warrants a review within that period.</p> <p>Any major changes will require the approval of the Councils Information Governance Group on the recommendation of the Service Lead with overall strategic responsibility for CCTV.</p> <p>Minor changes to this Code may be approved by the Service Lead with overall strategic responsibility for CCTV.</p>
10.3	Audit
	There will be regular audits of the operation of the CCTV cameras and compliance with this Code. Audits, which may be in the form of irregular spot checks, will include examining CCTV Control Room records and footage.
11	INFORMATION AND COMPLAINTS
11.1	Information
	<p>Requests for information may be made to the Information Governance Team at:- Information Governance Redcar & Cleveland Borough Council Redcar & Cleveland House Kirkleatham Street Redcar TS10 1RT</p> <p>InformationGovernance@redcar-cleveland.gov.uk</p>
11.2	Complaints
	<p>A member of the public wishing to complain with regard to a data subject access request for footage may do so by contacting the Council's Information Governance Team via post or email to the addresses in section 11.1</p> <p>A member of the public wishing to register a complaint regarding the Council's use of CCTV cameras may do so by contacting the via its website www.redcar-cleveland.gov.uk or by emailing complaints@redcar-cleveland.gov.uk or by writing to Corporate Support Team, Kirkleatham Street, Redcar, North Yorkshire, TS10 1RT</p>
12	DISCIPLINARY ACTION AGAINST COUNCIL STAFF
	Breaches of this Code of Practice by council staff will be dealt with in line with the Council's disciplinary procedure.

Appendix 1

Data Protection Principles Article 5 of the UK General Data Protection Regulations

1. Personal data shall be:

(a) processed lawfully, fairly and in a transparent manner in relation to individuals (“lawfulness, fairness and transparent”);

(b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes (‘purpose limitation’);

(c) adequate, relevant and limited to what is necessary in relation to the purpose for which they are processed (“data minimisation”).

(d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay (“accuracy”).

(e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals (“storage limitation”).

(f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures (“integrity and confidentiality”).

2. The data controller shall be responsible for, and be able to demonstrate compliance with paragraph 1. (“accountability”).

Appendix 2 Surveillance Code guiding principles

- 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.
- 2 The 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 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.
- 4 There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.
- 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.
- 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.
- 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 for such a purpose or for law enforcement purposes.
- 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.
- 9 Surveillance camera 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 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.
- 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.