



## Closed Circuit Television Protocol

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# **Closed Circuit Television - Compliance with the Surveillance Camera Code of Practice**

## **Introduction**

This Policy explains how Barrow Borough Council will manage and operate the public space CCTV system the multi-storey car park and the Mall.

The aim of the policy is:

- Provide clear information on how we will use the CCTV system.
- Provide a framework for the use, retention and viewing of the CCTV images.
- Meet the requirements of the Surveillance Camera Code of Practice
- Meet the requirements of the Data Protection Act 1998
- Meet the requirements of the Human Rights Act 1998
- Meet the requirements of the Regulation of Investigatory Powers Act 2000
- Meet the requirements of the Freedom of Information Act 2000.

Following consultation with the Surveillance Camera Commissioner the car park is designated as a public space and therefore overt surveillance is subject to the Surveillance Camera Code of Practice and we are advised to adopt the following 12 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 it 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 image 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 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, 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.

### **Purpose of recording CCTV images**

The Council will operate a CCTV system in the multi-storey carpark including the stairwells and in the mall adjacent to Barrow Market.

The multi-storey car park is a meeting point for groups of youths and is a venue where anti-social and criminal behaviour takes place on a regular basis during both daylight hours and at night. The Council is responding to concerns raised by members of staff and other car park users and has installed CCTV cameras to provide overt surveillance coverage for the car parking areas and stairwells.

The Mall is a well used thoroughfare and CCTV has been installed in this area for a number of years. There is little evidence of criminal activity occurring during the day in the Mall, however, it is used as an escape route for shoplifters who have been active in the market.

The purpose of installing the CCTV system is:

- 1: To reduce crime and assisting the prevention of crime
- 2: To reduce the fear of crime and promote community safety.

3: To encourage the use of the car park to support retail businesses in the town centre.

4: Protecting property.

5: Providing evidence which may be used by the police to prosecute offenders.

## **Operation**

The cameras will be fixed to focus on specific areas of the car park.

The cameras do not have sound recording capability.

The cameras do not have Automatic Number Plate Recognition capability (ANPR).

The Council will not monitor the cameras on the multi-storey car park but the footage will be stored and reviewed if an incident is reported.

The Council will not routinely monitor the cameras in the Mall but may do if there is criminal activity happening in the market because the Mall is a clear escape route. The footage will be stored and reviewed if an incident is reported.

The cameras will not be used for covert surveillance unless authorisation is granted under the Regulation of Investigatory Powers Act.

## **CCTV signs**

Signage will be displayed to advise car park users that CCTV is in operation. There is no public visual representation of the images and the signage will inform the public that they have a right access video under defined conditions and giving them details of who to contact.

The defined conditions under Section 7 of the Data Protection Act provide that any application should be in writing and that an appropriate fee is paid.

The individual has the right to be informed of the following:

- Whether any personal data involving the individual has been processed.
- If so, a description of the personal data.
- The purpose for which it was processed
- Those parties to whom the data can be disclosed

## **CCTV control centre**

The Information Technology Communications Room will be used for viewing the images from the multi-storey car park if required. There will be restricted access during viewing and the CCTV Manager will determine who has access.

The Market Office will be used for viewing the images from the Mall if required. There will be restricted access during viewing and the CCTV Manager will determine who has access.

## **Storage and management of the CCTV images.**

The management of images is the responsibility of the Assistant Director of Community Services who is designated as the CCTV Manager.

The images collected will routinely be stored for 31 days and then they will be automatically overwritten.

The images will be hard wired to the forum/market and use the existing network link to the Town Hall.

The images will be stored on a contained area of the network using a separate disk on the server.

If an incident is identified the CCTV Manager may extend the storage period and this must be documented stating the purpose of the extended storage period.

## **Release of images to the police**

If the incident is reported to the police the Council may provide the police with copies of the CCTV footage to support detection of, or solving crimes.

The Police have a legal basis for request of disclosure of personal data from organisations but disclosure is covered under the Data Protection Act:

Requests for disclosure will be made using the Cumbria Police DP3 form. The images will be transferred to the police via a secure sharefile.

## **Release of images to the media**

Images will not be released to the media unless it is requested by the police to assist in the detection of a crime and will require the agreement of the CCTV Manager.

## Complaints

Any member of the public, who has concerns about the use and operation of the CCTV system and wants to make a complaint, can do so using the Council's Complaints procedure.

## Privacy Impact Assessment

The multi-storey car park is designated as a public space and overt surveillance is subject to the Surveillance Camera Code of Practice.

The CCTV system can be intrusive to people carrying lawful activities so due consideration needs to be given to the justification for installing the system.

The cameras are used as a proportionate response for crime, disorder and to improve community safety.

<b>Data Protection Act</b>	
What organisations will be using the CCTV images? Who will take legal responsibility under the Data Protection act?	Barrow Borough council are the main users of the CCTV system and are the data controller. The images may be disclosed to Cumbria police to assist crime detection.
What is the organisations purpose for using CCTV? What are the issues that the system aims to address?	The purpose of installing the CCTV system is: 1: To reduce crime and assisting the prevention of crime 2: To reduce the fear of crime and promote community safety. 3: To encourage the use of the car park to support retail businesses in the town centre. 4: Protecting property. 5: Providing evidence which may be used by the police to prosecute offenders.
What are the benefits to be gained from using CCTV?	CCTV is a proven tool in detecting crimes, and identifying the perpetrators. Using CCTV can significantly reduce the time and cost of carrying out investigation by the police CCTV captures actual events and is not influenced by interpretation.

Can CCTV deliver these benefits?	Yes it is proven to consistently support the police in detecting crime.
Can less privacy intrusive solutions, such as improved lighting achieve the same benefits?	The Council has improved lighting, fitted dummy CCTV cameras and this has not been effective.
Will the system deliver the expected benefits?	The system has proved to be effective in other town centres and car parks.
<b>Human Rights Act</b>	
What could we do to minimise intrusion for those that may be monitored whilst carrying out lawful activities. Is the system established on a proper legal basis and operated in accordance with the law?	The system has been established on a proper and legal basis and we comply with the DPA and HRA. Regular reviews of camera performance are undertaken to justify their need.
Is it necessary to address a pressing need, such as public safety or crime detection?	Yes. Most town centres suffer instances of crime and ASB. CCTV has been a huge success in detecting, deterring and reducing crime and disorder in town centres.
Is it justified in the circumstances?	Yes. There are an increasing number of violent crimes related to drug dealing and other anti-social behaviour.
Is it proportionate to the problem that it is designed to deal with?	Yes. CCTV is used to detect crime and complies with the current legislation.
<b>Regulation of Investigatory Powers</b>	
Will the CCTV system be used for covert surveillance?	No. The camera focussed on fixed positions and advisory signage will be in place.
Does signage exist highlighting the use of surveillance cameras?	Yes. The signage will be positioned so that users know the CCTV is in use and will be reviewed regularly.
<b>Freedom of Information Act</b>	
Does the signage highlight the point of contact?	Yes. The point of contact is Barrow Borough Council. A sticker displaying the contact details is on each CCTV sign.
Are all staff aware of their responsibilities?	Yes. Staff will be made aware of their responsibilities through policies, procedures and training where required.
Can a member of the public request footage?	Yes. CCTV footage can only be supplied for up to 31 days from the date and time of an incident, after which time the images are automatically overwritten.