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NORTH HERTFORDSHIRE DISTRICT COUNCIL

CCTV PARTNERSHIP JOINT EXECUTIVE

THURSDAY, 4TH OCTOBER, 2018

SUPPLEMENTARY AGENDA

Please find attached supplementary papers relating to the above meeting, as follows:

Agenda No	Item
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5.	<u>CCTV CODE OF PRACTICE AMENDMENTS</u> (Pages 1 - 24)
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To inform the CCTV Joint Executive of proposed changes to the 'CCTV Code of Practice' and for these proposed changes to be considered and approved.

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HERTFORDSHIRE
CCTV
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HERTFORDSHIRE CCTV PARTNERSHIP

OPERATIONAL CODE OF PRACTICE

CCTV Code of Practice June 2018



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HERTFORDSHIRE CCTV PARTNERSHIP

1. INTRODUCTION

Hertfordshire CCTV Partnership has installed a comprehensive CCTV IT surveillance system is run by SBC, NHDC, EHDC and HBC which covers key locations , namely town centre areas and associated car parks, play centres, sheltered and supported housing in Stevenage, Hitchin, Letchworth, Baldock, Royston, Knebworth, Hertford, Bishop Stortford, Ware, Stanstead Abbots, Borehamwood, Bushey, Potters Bar, Biggleswade, Sandy and Shefford.

The Hertfordshire CCTV Partnership’s mission is to provide a professional and efficient CCTV service to inspire public confidence by ensuring that all Public Area CCTV systems which are linked to the Hertfordshire CCTV Partnership Control and Monitoring Room are operated in a manner that will secure their consistent effectiveness in the following aims:

Deter and assist in the detection of crime and anti-social behaviour.

Reduce the fear of crime and anti-social behaviour.

Deter or reduce incidents of environmental crime.

Improving the safety and security of residents, visitors and the business community.

Facilitate the prosecution providing evidence of offenders in both crime and public order offences.

The CCTV Control Room monitors and controls the system 24 hours per day each day of the year. Associated Police Control Rooms and other authorised users are given direct 24 hour access to the system.

Day to day management, co-ordination and overseeing the HCCTVP will be undertaken by the CCTV Operations Manager who is directly employed and funded by the CCTV Partners.



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The CCTV Operations Manager will be directly responsible to The Management Board who will, in turn, be responsible to the Executive Board.

This Code of Practice has been arranged in agreement with the stakeholders and the Police. It provides a clear statement of the purpose of the scheme gives guidance on the operation and management of the systems IT and provides a method by which the Public can make representations to HCCTVP about issues raised in relation to the use and installations of CCTV.

All recorded material is owned by HCCTVP and will be subject to the Data Protection Act 1998, the Data Protection 2018 subject to Royal Assent, the General Data Protection Regulation 2018 and the Regulation of Investigatory Powers Act 2000,



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2. TERMS AND REFERENCES

In this Code of Practice the following expressions shall have the meanings hereby assigned to the:-

'ABOT' means Automated Back Office Tasks

'BORIS' means the Back Office Recording Incident System database.

'BSIA' means British Security Industry Association.

'CCTV' means Closed- Circuit Television

'CCTV Operations Manager' means the person responsible for the overall management of the CCTV system and to oversee the companies contracted to provide the Monitoring and Maintenance services.

'CCTV Operators' means the persons authorised and responsible for watching, controlling and the recording of pictures produced by the CCTV cameras.

'CMR', means the CCTV Control and Monitoring Room which is under the control of the Hertfordshire CCTV Partnership.

'Data' includes personal Data, and all other processed information which is in the possession of the Data Controller which relates to property; or an individual or group of individuals who can be identified; which are processed by means of CCTV equipment operating automatically to further the objectives

'Data Controller' means the person who determines the purpose for and the manner in which personal data is, or will be, processed or disclosed. The CCTV Manager holds the post within the Hertfordshire CCTV Partnership

'Data Processor' means a Supplier contracted / authorised by the Data Controller to process the data.



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'Data Subject' means an individual making a Data Subject Access Request

'DPA' means the Data Protection Act 1998.

'EHDC' means East Hertfordshire District Council

'GDPR' means General Data Protection Regulation 2018

'HBC' means Hertsmere Borough Council.

'HCCTVP' means Hertfordshire CCTV Partnership

'HRA' means Human Rights Act 1998

'NHDC' means North Hertfordshire District Council.

'PACE' means The Police and Criminal Evidence Act 1984.

'Partnership' means Stevenage Borough Council, North Hertfordshire District Council, East Hertfordshire District Council and Hertsmere Borough Council.

'PIA' means Privacy Impact Assessment

'Police Control Room' means the Police Command and Control facility provided by the Hertfordshire Constabulary.

'POFA' means the Protection of Freedoms Act 2012

'RIPA' means Regulation of Investigatory Powers Act 2000

'SBC' means Stevenage Borough Council.



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3. THE PURPOSE STATEMENT

'The Code of Practice is to regulate the operation of the HCCTV Partnership public space CCTV systems operating within Hertfordshire, Bedfordshire and South Cambridgeshire, it sets out the rules to be observed by the Partnership, its Members, employees, contractors, and the Police involved in the management, operation and administration of the CCTV system in place'.

4. PRIVACY

The HCCTV Partnership supports the individual's right of privacy and will insist that all agencies involved in the provision and use of public CCTV systems connected to the CMR accept this fundamental principle as being paramount.

Every consideration will be given to the right of the general public to go about their daily business with minimum loss of privacy. Total privacy cannot be guaranteed within CCTV surveillance area; however the cameras will not be used to unduly monitor persons going about their lawful business. It is inevitable that individuals could be caught on camera briefly during general surveillance but persons will only be specifically monitored for any length of time if there is suspicion or knowledge that an offence may have occurred or be about to occur. In such an event, the CCTV Operator will log the incident giving reason for the monitoring of the individual. CCTV Operators must be able to justify their actions.

The CCTV system will be used for the provision of recordings for evidential purposes to the Police and other bodies having prosecution powers, such as Custom & Excise or the Health & Safety Executive. In some instances the system will be used for the investigation of specific matters of a different type such as solicitors or insurance companies for road traffic incidents.



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5. DATA PROTECTION

HCCTVP has an obligation to comply with the requirements of the DPA 1998 and the DPA – CCTV Codes of Practice 2008 and the General Data Protection Act 2018, (GDPR). The HCCTVP system is registered with the Office of the Data Protection Commissioner as a system with joint users and the CCTV Operations Manager is nominated as the Data Controller as required under the Act.

The Operations Manager is named as the Single Point of Contact, (SPOC), responsible for compliance and relevant legal obligations within the HCCTVP.

6. REGULATION OF INVESTIGATORY POWERS

The RIPA is to ensure that investigatory powers of the intelligence services are used in accordance with the Human Rights Act 1998. A working protocol for all internal and external requests for “Directed Surveillance” has been approved by the HCCTVP Executive Board members and is contained in the CCTV Control Room Assignment Instructions

7. DATA PROTECTION CODE OF PRACTICE FOR SURVEILLANCE CAMERAS

Principle 2 of the Surveillance Code of Practice states that the use of a surveillance camera system must take into account the effect on individuals and their privacy. A PIA on each camera has therefore been undertaken and will be reviewed annually which include the POFA 2012, the HRA 1998 and Data Protection Legislation.



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8. OTHER LEGISLATION

The CCTV system complies with the Airwave Service Code of Practice and holds the necessary TEA2 User Sub Licence. HCCTVP has conducted the 12 Guiding Principles in accordance to the requirements.

9. CHANGES TO THIS CODE

Any major change to this code will only take place after full consultation has been undertaken with the relevant interested bodies/groups and upon full agreement of the Partnership.

This Code of Practice and any subsequent amendments will be made available for public examination by the Operations Manager and is available on the website:- www.hertfordshirecctv.co.uk.

The Code of Practice will be subject to regular reviews at least annually.

10. PUBLIC INFORMATION

Cameras should not be hidden but should be placed on public view. Signage that CCTV cameras are operating will be placed in and around the surveillance area in locations visible to the general public.

The HCCTVP Annual Report will be published on the website following approval of the relevant board.



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11. RESIDENTIAL PROPERTY

The network will operate in the manner that is sensitive to the privacy of people residing and working in surveillance area. The cameras will only view public areas and not look through windows/doors of private premises.

Pixilation will be overlaid to ensure that this is the case. Exceptions to this may be made when RIPA authorisation is in place or in response to a request by the police when a crime is believed to be taking place.

12. ASSESSMENT OF THE NETWORK

The CCTV Operations Manager is responsible for ensuring that the CCTV network is fully functioning and working to the operational requirements. Regular reviews on cameras and faults will be standard and faulty cameras that become beyond economical repair will be replaced.

Evaluation of the Network will include data on the following performance stats from our database such as:-

- Number of incidents per camera / town / desk
- Number of arrests per camera / town
- Comparison to previous years data
- Engineers fault report
- Engineers fault history for a specific camera



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13. MAINTENANCE OF THE SYSTEM

Owners of CCTV Systems covered by this code must maintain their system to a high standard of operating efficiency using experienced and competent specialist maintenance engineers by means of an appropriate maintenance contract.

No part of the system shall be left inoperative for any reason, other than for the purpose of its maintenance or repair and all such works must be carried out extensively.

All camera faults to be electronically recorded on BORIS by a CCTV operator.

Any camera disconnected from the system shall be immediately removed from public view.

The Data Processors will be responsible to the Data Controller / Operations Manager



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14. CONTRACTORS

The names and addresses of the CMR services contractor and the CCTV Equipment Maintenance Contractors are as follows:-

Control and Monitoring Room Operations Contractors

Broadland Guarding Services Ltd
Delta House
Vulcan Road North
Norwich
Norfolk
NR6 6AQ

CCTV System Equipment Servicing Contractor

Eurovia Infrastructure Limited
Albion House
Springfield Road
Horsham
West Sussex
RH12 2RW



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15. AIMS AND OBJECTIVES

The aims and objectives of the Code of Practice are:-

- To operate the CCTV System in a manner which respects an individual's right to privacy.
- To set operational standards and criteria that will generate public confidence.
- To strictly control the access of viewed and recorded material and to ensure that all such material is used only for its intended legitimate purpose.
- To set out clearly the management and administration arrangements that governs the operation of the system.
- To improve public safety and enhance the general public's perception of safety
- To improve commercial confidence.
- To assist emergency services.
- To assist the police with the more efficient deployment of resources.
- To assist in supporting civil proceedings that will help detect crime.

16. REPORTING AND EVALUATION

All significant activities, operations, evidence, incidents and fault reporting in the CMR will be recorded on the HCCTVP database, BORIS.

CCTV operators will keep a record on BORIS of all arrests and notable incidents that have been assisted by the use of the public CCTV system.

Monthly reports shall be presented on the HCCTVP website to show the number of recorded incidents by location, date, type, arrest etc.



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Each owner will be presented with a management report comprising of the number of incidents and faults recorded each quarter.

Personal Data shall be processed fairly and lawfully.

Personal Data shall be accurate and where necessary kept up to date.

Personal Data shall be processed lawfully under GDPR Article 6 and 9 fairly and in a transparent manner in relation to individuals.

Process data 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.

17. PERMITTED USES OF THE CCTV SYSTEM

Subject to permitted use modifications agreed in accordance with the procedures set out in this Code of Practice, the use of any CCTV system(s) connected to the HCCTVP CMR shall be restricted to the following general purposes:-

- To assist the prevention and detection of crime and offences assisting the police with the efficient deployment of resources for the purpose of deterring crime and apprehending criminals.
- The provision of supplying evidence for the prosecution of criminals
- To assist the tracking and apprehension of persons who are suspected of having committed a criminal offence.
- To assist the identification and compilation of information that can be used to ensure the safety of the general public.



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- To assist the Fire, and Ambulance and civil emergency services with the efficient deployment of their resources to deal with emergencies.
- To assist the management and efficiency of public services in the area of CCTV coverage.

18. EXCLUSIONS

Any public CCTV system connected to the jointly managed CMR will not be used to obtain recorded evidence to prosecute minor street offences unless accompanied by a more serious offence or unless it is of a nature which causes public danger or nuisance.

19. COMPLIANCE WITH THE CODE

All owners, CCTV Operators and users of the CCTV systems connected to the CMR shall be required to give a formal undertaking that they will comply with this Code of Practice and act in good faith with regard to the basic principles which it embodies.

All such owners, CCTV Operators and users shall comply with this requirement by signing a copy of a Code of Practice compliance declaration.

All owners, CCTV Operators, users and any visitors to the CMR will be required to sign a formal confidentiality declaration that they will treat any viewed and / or written material as being strictly confidential and that they undertake not to divulge it to any other person.

All visitors will be required, upon arrival, to sign in a Visitors Book and sign out on departure and to be kept by the CMR Operators and management.



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The CCTV Manager is authorised to decide on behalf of the HCCTVP as to who can have access to the control room. This will normally be:

1. Staff employed to operate the control room
2. Authorised Police Officers to carry out downloads.
3. Police Officers collecting recorded media being considered or used for evidential purpose.
4. Maintenance contractors by prior arrangement
5. Only those persons with a legitimate purpose will be permitted access to the CMR, such as cleaners and SBC facilities staff.
6. The Independent Inspectors appointed under the Code of Practice may visit the CMR without prior appointment.

20. BREACHES OF THE CODE

Breaches of the Code of Practice will be investigated by a Senior Officer of the Partnership who is not directly involved in the management of the CCTV service. The findings of that officer will be presented to the CCTV Executive Board which shall determine if any disciplinary action warranted and what remedial action/ changes may be required to prevent a recurrence.

21. CONTROL ROOM OPERATIONS AND MANAGEMENT

Control and Monitoring room operations will only be carried out by a reputable and competent security company which can demonstrate an ability to maintain the confidence of the Public, the Police, the Crown Prosecution Service and CCTV System owners. At all times the company will be required to comply with the standards contained in the British Standards Authority Code of Practice



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Throughout the period of the contract all operators will have a Security Industry Authority, SIA licence and BSIA 7858 and 7499 compliant.

Only personnel who are fully trained or under supervised training in the use of the systems monitoring equipment, communication systems and the operational and management procedures required under this Code of Practice will be permitted to undertake duties within the CMR.

22. INDEPENDENT INSPECTORS

A system is in place to allow authorised independent inspection of the CMR, its operational procedures and review footage of the operators work.

Independent inspectors will be persons who have undergone police vetting and verification procedures. They will be allowed access to the CMR at any time without prior notification.

Independent Inspectors shall be encouraged to carry out frequent and random visits with a minimum of one visit per month.

All visits to be logged a report form filled in and a summary report completed after every visit.

The independent inspectors will be asked to provide a summary report for inclusion in the HCCTVP Annual Reports.



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23. COMPLAINTS

To obtain recognition this Code of Practice must address the interests of all who may be affected by it.

A complaints procedure allows the public and anyone affected by the operation of the CCTV systems, connected to the CMR to formally raise any issue which is causing concern.

Complaints or concerns shall initially be made to the CCTV Operations Manager through the website at enquire@hertfordshirecctv.co.uk or in writing to c/o Stevenage Borough Council, Daneshill House, Danestrete, Stevenage, Hertfordshire, SG1 1HN.

Complaints received via the CCTV Control Room will be recorded in the incident/ occurrence log. A designated complaints file will be set up in order to hold information and associated correspondence of all complaints that are issued against the CCTV system and/or its owner. The contents of the complaints file will be subject to the conditions and provisions of the Data Protection legislation.



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24. RECORDED MATERIAL

Recorded material will be retained for a period of 28 days and will then be over-written.

All recorded material / images can be identified by their camera number, the date the images were recorded and the start and end times of the sequence of events.

Statutory prosecuting authorities will be permitted to access recorded material where it is necessary for the investigation and detection of a particular offence or offences or for the prevention of crime or where required under the PACE Act 1984.

In the case of any recorded material which is deemed to contain evidential material this will then be put onto a disc and produced as an exhibit. Once removed the disc will not be permitted back into the CMR because its continuity, correct storage and handling cannot be assured or verified.

Recordings of such material removed from the CMR as evidential material must be exhibited and a fully completed disclaimer signed prior to their release. Continuity of evidence from that point resides with the Statutory Prosecuting Agency.

There shall be no public access to recorded material other than in connection with the investigation, prosecution or prevention of crime under the guidance of the Police and PACE Act 1984 criteria.

Any subject access requests made under the provision of the GDPR 2018 will be dealt with in accordance with the Act. A copy of the relevant data will be produced and sent out to the individual if all the conditions of the Act are met.

All subject access requests to be dealt with by the CCTV Manager by writing.



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25. PHOTOGRAPHS, STILL PRINTS AND OTHER INFORMATION.

Still prints shall not be taken as a matter of routine or without justifiable reasons and will not be allowed to leave the control room

Usage of mobile appliances to take photographs of either live or playback incidents captured on the CCTV system shall be strictly forbidden.

Still prints shall be considered recorded material and therefore subject to all restrictions and controls relating to other recorded material detailed in this code.

Any other personal data or information received from statutory prosecuting agencies will be subject to the same guidelines outlined above for all still prints or photographs and shall be subject to the requirements of the DPA 1998.

26. BORIS

Boris is a bespoke Database that records, controls, manages and reports on all aspects of the CMR

Automated reports are produced for equipment owners, managers and other interested parties within the HCCTVP.

All information is subject to the GDPR 2018 and any information that has been submitted that has not had the permission of the CCTV Operations Manager will be seen as a breach of the Code.



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27. ABOT (Automated Back Office Tasks)

Basic maintenance of the data and tables stored in BORIS

Production and distribution of daily, weekly and monthly management reports

Production of Supervisor weekly paperwork

Daily backup of BORIS



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