



The Surveillance Camera Code of Practice for Steeple Morden Parish Council

Originally adopted on 12 July 2021

Latest update adopted 13 February 2023

Background

The Steeple Morden Parish Council use Closed Circuit Television (CCTV) around the village recreation ground for the purposes of deterring misuse of equipment/facilities, minimising crime and anti-social behaviour and to provide a safe and secure environment for members of the public and to prevent the loss or damage to property.

It is appropriate that the CCTV system be operated in a properly controlled manner and this document describes the controls and procedures that shall be applied.

This Code of Practice for Steeple Morden Parish Council is based on “the Code” of practice developed by the Information Commissioner’s Office (ICO) under the Data Protection Act 1998 (DPA) covering the use of CCTV. The Code was developed to explain the legal requirements that operators of surveillance cameras were required to meet under the Act and promote good practice for those involved in operating CCTV that view or record individuals. At the time of preparation of this document, the ICO Code is at Version 1.2, 09 June 2017. The Code and this document use the terms ‘surveillance system(s)’, ‘CCTV’ and ‘information’ throughout for ease of reference. Information held by organisations that is about individuals is covered by the DPA and the guidance in the Code help organisations comply with these legal obligations.

The DPA not only creates obligations for organisations, it also gives individuals rights, such as the right to access their personal information, and to claim compensation when they suffer damage.

This document also reflects the wider regulatory environment. When using surveillance systems, we also need to consider our obligations in relation to the Freedom of Information Act 2000 (FOIA), the Protection of Freedoms Act (POFA), the Human Rights Act 1998 (HRA) and the Surveillance Camera Code of Practice issued under the Protection of Freedoms Act (POFA code).

The POFA and ICO Codes provide advice and guidance based on 12 guiding principles. These same principles are followed in this document.

Reference:

<https://ico.org.uk/for-organisations/guide-to-data-protection/key-dp-themes/guidance-on-video-surveillance-including-cctv/>

CCTV Code of Practice



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.*

The council is responsible for CCTV at the village recreation ground, around the village hall, the car park and the bowls club. The cameras feeds are not constantly monitored but are recorded having been installed for the purposes of reducing and detecting crime and anti-social behaviour, to provide a safe and secure environment for members of the public and to prevent the loss or damage to property.

Aims and objectives:

- To deter crime
- To assist in the detection of crime
- To facilitate the apprehension and prosecution of offenders in both criminal and public order offences
- To deter misuse of equipment/facilities
- To discourage anti-social behaviour including alcohol and drug related issues
- To assist the council in monitoring and managing its assets and area of responsibility and duty of care



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.*

The cameras will be sited so they only capture images relevant to the purposes for which they have been installed and care will be taken to ensure that reasonable privacy expectations are not violated.

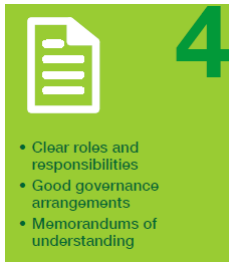
The CCTV system shall be operated with respect for all individuals, recognising the right to be free from inhuman or degrading treatment and avoid discrimination on grounds such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with national minority, property, birth or other status.



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.*

CCTV notices will be prominently displayed in several locations around the area covered by surveillance. The notices will provide a method for determining the contact point for further information.

Any complaints or enquiries about the operation of CCTV by the council should, in the first instance, be directed to the Parish Clerk.



- Clear roles and responsibilities
- Good governance arrangements
- Memorandums of understanding

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

Operatives of the Parish Council CCTV system are agreed and authorised by decision of the council. At this time the named individuals are:

- Sally Walmesley - Parish Clerk/Key holder
- Keith Austin - Councillor/Key holder
- Malcolm Bird - Councillor/Key Holder
- Maintenance - Staff during maintenance visits when accompanied by an authorised councillor.



- Must have Rules and Policies
- Communicated to ALL users

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.

All authorised operators with access to the images are aware of this code of practice and the procedures that need to be followed when accessing the system. They are also aware of the restrictions in relation to access to and the disclosure of recorded images.



- Policies in place on information
- Information deleted when not needed

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.

Images will be retained for 30 days. This is a reasonable time period for any incident that may have occurred within the range of the cameras to be brought to the attention of those responsible for the system. The system is routinely monitored, at least every 14 days, and at such times the recordings are cut down to 30 days. So it is possible that images relating to up to 45 days are on occasion held by the system.

Information that is the subject of investigation may temporarily be held for more than 30 days but will be deleted once investigations are complete.



- Restricted Access
- Clearly defined rules
- Specified purpose or law enforcement

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.

The system will be monitored/checked on a regular basis, at least once every 14 calendar days, by one of the CCTV authorised operatives. The checks will include camera and recording operation. In the event of a fault being identified the currently contracted maintenance organisation will be informed and a repair effected in good time.

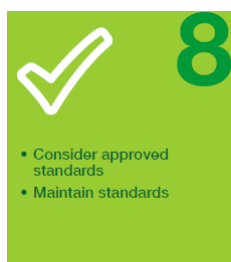
Individuals have the right to request access to CCTV footage relating to themselves under the Data Protection Act. All requests should be made in writing to the Parish Clerk. A fee of £25 will be charged for each single time period (exceptions may be agreed by the decision of the Parish Clerk and a CCTV authorised councillor). Individuals submitting requests for access will be asked to provide sufficient information to enable the relevant footage to be identified (date, time and location). The council will respond within 28 calendar days of receiving the written request and fee.

The council reserves the right to refuse access to CCTV footage where this would prejudice the legal rights of other individuals or jeopardise an on-going investigation.

There will be no disclosure of recorded data to third parties other than to authorised personnel such as the Police and Service providers to the council where these would reasonably need access to the data (investigators). All requests to be via the Parish Clerk in the first instance.

All enquiries concerning the CCTV system must be actioned through two members of the CCTV authorised team.

All access and disclosure to third parties (including the police) should be recorded and the reasons for allowing or refusing the requests must be documented.



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.

The CCTV scheme operated by the Parish Council is registered and renews annually with the Information Commissioner's Office (ICO) in accordance with the Data Protection Act 1998. **Reference: ZB076455**



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

The CCTV system comprises a digital recorder which is housed in a locked cabinet which itself is kept in a locked utilities room. Keys to the utility room are held by a number of people but all are recorded by the Parish Clerk. Keys to the digital recorder are held only by authorised CCTV operatives.

The system has the ability to support remote access and is connected to the internet for this purpose. Remote access to the system is controlled by firewall restrictions, server codes, user names and passwords known only to the authorised CCTV operatives. If an authorised operative resigns their position, their username and passwords will be replaced within 5 working days.



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.

The authorised CCTV operatives will, at least once a year, ensure that the CCTV system has been checked to maintain it in good health. They will also undertake a review of the operating procedures and this code of practice to see if any changes or updates are required. They will then furnish a report to the council summarising any use of the system in the previous period and any recommendations as necessary.



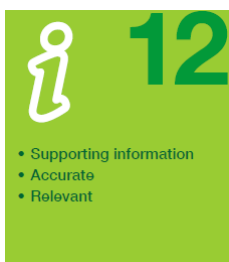
When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.

Viewing shall be undertaken with only designated persons having access to the system. As owners of the system, the Parish Council, reserves the right to have a representative present when viewing a recording and appointments must be by prior appointment with the Parish Council.

Copying and removal of data, if required by the Police as evidence, is permissible. Details of the Police officer's name, number and Station should be recorded. Only authorised personnel from law enforcement agencies (where images would assist with a specific criminal enquiry), prosecution agencies and relevant legal representatives are allowed to take away copies of recordings. Full records of any copy must be kept. An authorised CCTV operative will retain a duplicate copy of any recording taken off-site and this will be deleted upon completion of the investigation.

Members of the public, whether or not they are representatives of organisations using any premises located on the Parish Council's property, are not permitted to view recordings.

Unauthorised use of the system or removal of data may be a criminal offence.



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.

The SMPC CCTV system does not compare data with a reference database.