

NEW HOLLAND PARISH COUNCIL

Code of Practice on the Operation of CCTV

The Scope of this Code

Introduction and accountability

New Holland Parish Council in association with Humberside Police installed a CCTV surveillance system in New Holland. Cameras have been installed in the following areas:

The Roundabout, Barrow Road, New Holland

Images will be monitored by North Lincolnshire Council and will be accessible to persons who have legitimate reason to use footage from the cameras.

The system is owned by New Holland Parish Council.

This Code of Practice has been prepared for the guidance of managers and the operators of the CCTV system and for the information of all members of the local community.

Its purpose is to ensure that the CCTV system is used to create a safer environment for residents and visitors to the area, and to ensure that its operation conforms with obligations of The Data Protection Act 1998. The Code is widely available for consultation.

North Lincolnshire Council is responsible for the operation of the CCTV system, and, in the first instance, for ensuring compliance with this Code of Practice. Breaches of the Code may constitute matters of discipline, but it is also recognised that other members of the public may have concerns or complaints in respect of the operation of the system. Any concerns in respect of the system's use or regarding compliance with this Code should, in the first instance, be addressed to the Clerk to the Council.

Contact numbers: North Lincolnshire Council 01724 296224

Code of Practice

1. Objectives

- 1.1 CCTV has been installed for the principal purposes of preventing and detecting crime. It is recognised, however, that ancillary benefits of operating CCTV for these purposes may include reduction of the fear of crime generally and the provision of a safer public environment for the benefit of those who live or work within the area or visit. These objectives must, however, be consistent with respect for individuals' privacy.
The system will be managed in accordance with these objectives, and accordingly monitoring will be permitted only to:

Assist in the prevention and detection of crime;

Facilitate the identification, apprehension and prosecution of offenders in relation to crime and public order; and as an aid to public safety.

Provide and operate the system in a manner which is consistent with respect for the individuals privacy

2. The System

- 2.1 The system of CCTV surveillance will encompass the southern areas of Barrow Road, including the roundabout and surrounding area in New Holland. It will also encompass all other CCTV images that, in due course, are added to the system and future improvements in the monitoring of the system. References in this code to the "CCTV system" or "system" should be read accordingly.
- 2.2 The system is operational and images are capable of being downloaded during hours of business.
- 2.3 The public is made aware of the presence of the system and its ownership by appropriate signage. This sets out the purposes for processing CCTV images (in accordance with paragraph 1.1 above), and identifies North Lincolnshire Council as the party responsible for processing those images.
- 2.4 Images captured on camera will be recorded onto a hard drive which will work on an overwrite loop basis. Therefore unless there is a legitimate reason to view data no collateral intrusion will occur. This is in accordance with this Code of Practice. Persons monitoring the images at locations will not be permitted to record those images or to have access to archived images unless the relevant request form has been submitted and agreed by the CCTV manager.

- 2.5 Although every effort has been made in the planning and design of the CCTV system to give it maximum effectiveness, it is not possible to guarantee that the system will detect every incident taking place within the area of coverage.
- 2.6 For the purposes of the Data Protection Act 1998, the Data Controller is North Lincolnshire Council and is legally responsible for the management and maintenance of the CCTV system.

3. **Administration and Procedures**

- 3.1 It is recognised that the images obtained compromise personal data and are subject to the law on Data Protection. All copies will be handled in accordance with the procedures outlined in appendix I of this Code, and are designed to ensure the integrity of the system.
- 3.2 Recorded images will only be reviewed with the authority of North Lincolnshire Council. Copies of digital images will only be made for the purpose of crime detection, evidence in relation to matters affecting safety, evidence for prosecutions, or where otherwise required by law.

4. **Staff**

- 4.1 All staff involved in the operation of the CCTV system will, by access to this Code of Practice, be made aware of the sensitivity of handling CCTV images and recordings.

5. **Recording**

- 5.1 The system used to record the data is digital which will allow the retrieval of images for a set time before the data is over written.
- 5.2 Because the images are recorded digitally, the process of identifying retrieval dates and times will be computerised. Images will be cleared automatically after a set time.
- 5.3 Unless required for evidential purposes or the investigation of crime, recorded images will be automatically erased after a set period, which will be no longer than 51 days.
However, New Holland Parish Council recognises that, in accordance with the requirements of the Data Protection Act, no images should be retained for longer than is necessary. Accordingly, some recorded images may be erased after a shorter period, for example, where it can be determined more quickly that there has been no incident giving rise to the need to retain the recorded images. Digital images will be automatically erased after a set period, which will be no longer than 51 days.

5.4 In the event of the digitally recorded image being required for evidence or the investigation of crime it will be retained for a period of time until it is no longer required for evidential purposes or any investigation into a crime has been completed.

6. **Monitoring Procedures**

6.1 The control of the system will always remain with North Lincolnshire Council but at their discretion the cameras may be operated in accordance with requests made by the Police during an incident to:-

- 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.

On each occasion the Police obtain assistance with their operations, a report setting out the time, date and detail of the incident will be submitted to the CCTV Manager.

7. **Digital Recording Procedures**

7.1 Control and management of digital recordings

The digital recorder will in essence manage this itself as all footage will be overwritten after a set period.

7.2 Access to recordings

Generally, requests by persons for viewing or obtaining digital recordings will be assessed on a case by case basis.

Requests from the Police will arise in a number of ways, including: -

- Requests for a review of recordings, in order to trace incidents that have been reported.
- Immediate action relating to live incidents e.g. immediate pursuit.
- For major incidents that occur, when images may have been recorded continuously.
- Individual Police Officer seeking to review recorded images.

Access by data subjects will be in accordance with paragraph below headed Access by Data Subjects.

Requests for access to recorded images from persons other than the Police or the data subject will be considered on a case-by-case basis. The CCTV Manager or his/her nominee will consider such requests. Access to recorded images in these circumstances will only be granted where that is consistent with the obligations placed on New Holland Parish Council by the Data Protection Act 1998 and, in particular, with the purposes set out in paragraph 1.1.

8. Standards

It is important that access to, and disclosure of, the images recorded by CCTV is restricted and carefully controlled, not only to ensure that the rights of individuals are preserved, but also to ensure that the chain of evidence remains intact should the images be required for evidential purposes. Users of CCTV will also have to ensure that the reasons for which they may disclose copies of the images are compatible with the reasons or purposes for which they originally obtained those images. These aspects of the Code reflect the Second and Seventh Data Protection Principles of the Data Protection Act 1998.

- 8.1 All staff involved should be aware of the restrictions set out in this Code of Practice in relation to access to, and disclosure of, recorded images.
- 8.2 Access to recorded images will be restricted to staff who need to have access in order to achieve the purposes of using the equipment.
- 8.3 All access to the medium on which the images are recorded, will be documented.
- 8.4 Disclosure of the recorded images to third parties will be made only in the following limited and prescribed circumstances, and to the extent required or permitted by law:
 - Law enforcement agencies where the images recorded would assist in a Preventing, Detecting and Reducing Criminal activity
 - Prosecution agencies.
 - Relevant legal representatives.
 - People whose images have been recorded and retained and disclosure is required by virtue of the Data Protection Act 1998.

All requests for access or for disclosure will be recorded. The CCTV Manager or his/her nominee will make decisions on access to recorded images by persons other than police officers, and there may be a charge for such services. Requests by the Police for access to images will not normally be denied and can be made without the above authority provided they are accompanied by a written request

signed by a Police Officer, who must indicate that the images are required for the purposes of a specific crime enquiry.

If access to or disclosure of the images is allowed then the following will be documented:

- The date and time at which access was allowed or the date on which disclosure was made.
- The reason for allowing access or disclosure.
- The extent of the information to which access was allowed or which was disclosed.
- Control Room staff using the appropriate forms will document routine disclosure to the Police.
- Requests for non-Police disclosures will be forwarded to the CCTV Manager and if agreed may be subject to a charge.

9. **Access By Data Subjects**

- 9.1 All staff involved in monitoring or handling image data will proceed in accordance with the following protocol in respect of subject access requests.

10. **Rights Of Data Subjects**

- 10.1 The procedure outlined above and the use of the subject access request form complies with Section 7 of the Data Protection Act 1998, enabling the CCTV Manager or his/her nominee to inform individuals as to whether or not images have been processed by the CCTV system.

