

CCTV CODE OF PRACTICE 2020

Parking, Marine & CCTV Services



**CODE OF PRACTICE FOR THE MANAGEMENT AND OPERATION OF THE
SHARED PUBLIC SPACE CCTV SYSTEM FOR:**

**Plymouth City Council
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Date:

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Amendments:

This document supersedes all previous versions

I. INTRODUCTION

I.1 Purpose of this Code of Practice

This Code of Practice is to regulate the operation of Plymouth City Council's Shared Service public space closed circuit television (CCTV) systems operating within the city of Plymouth and to set out the rules to be observed by the Council, its Members, employees, and contractors; the Police and any other party or organisation involved in the management, operation and administration of the CCTV system.

I.2 Ownership of the CCTV System

The system is owned by Plymouth City Council (PCC) or contracted partner. PCC operates the all cameras on behalf of PCC or contracted partner. The system is managed by the Director of Place. The telephone number is Plymouth (01752) 668000

I.3 Contributors to the Code of Practice

The original Code of Practice was been prepared in consultation between the Council and the Police and input from the Security Camera Commissioners office.

I.4 Future Revision and Consultation

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

This Code is supported by a Standard Operating Procedures Manual and a CCTV Control Room document.

Both of which are restricted documents and are for the use of CCTV staff only.

Management Structure for the CCTV System



2. COUNCIL'S AIMS AND OBJECTIVES

2.1 The following are objectives of Plymouth City Council CCTV Scheme:

- Deter and assist in the detection of crime and anti-social behaviour;
- Reduce the fear of crime and anti-social behaviour;
- Improve public protection;
- Improve the safety and security of residents, visitors and the business community who use the facilities covered by the CCTV scheme;
- Facilitate the apprehension and prosecution of offenders in both crime and public order offences;
- Deter vandalism;
- Discourage anti-social behaviour, including alcohol and drug related issues;
- Enhance generally the environment and thereby improve the enjoyment of the city's facilities by all who use them.
- Support the Business Improvement Districts with CCTV coverage
- Provide the liaison and focal point for the Plymouth against Retail Crime (PARC) scheme in the city.
- Protection of Plymouth City Council and its employees

CCTV EQUIPMENT

Plymouth City Council operate 358 CCTV cameras across the city, these are monitored in the CCTV control centre located in a secure Plymouth City Council Owned and controlled building (Council House)

CAMERAS

The CCTV control room operates and monitors CCTV cameras across the Plymouth area

There are various types of camera to meet the operational requirements in each area. The images from the cameras are fed back to the control room either by fibre optic cable or wirelessly.

All cameras are clearly identifiable and have signs indicating who is operating them and how they can be contacted.

We will not use dummy or covert cameras or cameras which can monitor sound.

As well as these cameras, there is a rapid camera system (RCCTV) for use in Plymouth which can be deployed across the city to deal with short term problems. The procedures for the operation of these cameras are the same as the rest of the system.

3. CONTROL ROOM MANAGEMENT AND OPERATION

3.1 General

3.1.1 Control Room Location

CCTV Control centre will be located in a secure Plymouth City Council owned and operated asset with a secure entry system. (Council House)

3.1.2 Hours of Operation

The CCTV system will be operational 24 hours a 365 days per year.

3.1.3 Staffing of the Control Room

The CCTV control room will be managed, monitored and controlled by Plymouth City Council

The control room will be staffed by at least one operator at all times throughout the full operational period. Exceptions will be sudden staff sickness, power supply failure, fibre optic or exchange failure and disaster impacting upon the CCTV centre location

3.1.4 Control Room Security

Doors leading to the control room are fitted with cameras and a door access system to restrict unauthorised entry.

3.1.5 Administration

The day to day management of the CCTV scheme is the responsibility of the CCTV supervisors.

The Civil Enforcement Manager will be responsible for ensuring that all employees of Plymouth City Council involved in the CCTV scheme adhere to this Code of Practice.

Devon & Cornwall Constabulary's Area Commander for the Plymouth area will be responsible for ensuring that all Police Officers and other Devon & Cornwall Constabulary employees involved in the CCTV scheme adhere to this Code of Practice.

3.2 Control Room Access

3.2.1 Authority for Access

The Parking, Marine and CCTV Group Manager or his/her nominee (normally the Civil Enforcement Manager (C.E.M) are authorised to decide on behalf of the Council who has access to the control room. This will normally be:

- 1) Staff employed to operate the control room.
- 2) Police officers authorised in a manner agreed between D&C Constabulary and the Council:
 - requiring to view recorded data of a particular incident, or
 - collecting recording media being considered or used for evidential purposes or other specifically agreed purpose
 - To act as liaison officers for major events or operations.
- 3) Other enforcement agencies by prior agreement.
- 4) Maintenance contractors by prior arrangement.
- 5) Accompanied visitors by prior arrangement with the C.E.M or his/her nominee.
- 6) The CCTV staff will check the identity of **all** visitors. And ensure all visitors sign in upon entry

3.2.2 Authority for Access by Others

Any request to visit the control room by private companies or individuals will be dealt with by the C.E.M.

3.2.3 The control room will be covered by a state of alert; this will provide additional guidance to CCTV centre staff in determining access arrangements. The states will be as follows

- Black – This will allow approved staff and contractors to access in accordance with the access policy
- Black Special – This will allow approved staff access, but contractors and visitors will have limited and accompanied access only
- Amber – This will allow approved staff access / police officers but no contractor or visitor access
- Red – This will allow CCTV staff access only and will exclude all police and visitors, this will be only used in civil emergency or special operations situations.

3.3 Documentation and Record Logs

3.3.1 Visitors' Log

A Visitors' log will be kept and maintained in the control room by the CCTV staff who will record the names of all persons entering the control room, together with times of arrival and departure and reasons for visit. Visitors will be requested to sign the log on arrival and the operator will log them off at their departure.

3.3.2 Daily Log

A Daily Log will be kept by the CCTV staff and maintained in the control room. The CCTV staff will record all events occurring during the hours of operation. The Log will also act as a record of shift

changeover, calls made in respect of the CCTV system D&C Constabulary and other agencies, visitors to the control room, and observations on system performance and faults on the system.

3.3.3 System Faults and Failures Log

A System Faults and Failures Log will be kept and maintained in the control room by the CCTV staff, who will record all equipment failures, including time and date of failure recording any job or task number given by the relevant contractor, the time and date the Maintenance Contractor was notified and date when the fault was corrected. The System Faults and Failures Log will correlate with the Daily Log.

3.3.4 Electronic Logging System

The above logs will be held on the PCC secure data network

3.4 Control of the CCTV System

3.4.1 Normal Operation

The control of the CCTV system will remain with Plymouth City Council
All assistance given to agencies will be noted in the Daily Log.

3.5 Additional Control Room Services

3.5.1 Out-of-Hours and Lone Worker Emergency Telephone

The Council's Out-of-Hours and Lone Worker Emergency Telephone service is operated by the CCTV staff but on a separate system to CCTV. All calls received on these lines will be recorded electronically along with any action taken. A separate operating procedure (which is restricted) will be produced for this service.

3.5.2 Storennet, Nitenet and Radio System

The CCTV control room is linked via radio to the Plymouth against Retail Crime (PARC) and the Parking and Nitenet system. The schemes are currently operational in Plymouth and a number of the smaller district shopping centres. This is not a secure radio system and as such all Operators must be aware that all transmissions on this radio system can be overheard by members of the public or monitored by persons with a radio scanner. Therefore personal details should not be transmitted using this system.

This system is to be operated within the guidelines agreed between PARC, Parking, NITENET & PCC

3.5.3 Loudspeakers on CCTV Cameras

Currently there are currently no cameras which are fitted with loudspeakers enabling the CCTV operators to speak to members of the public.

3.6 Personnel Standards

3.6.1 Screening

Personnel employed in the control room in any capacity whatsoever are will be subject to suitable screening checks prior to being allowed access to work in the control room. A full Vetting Check will be done through D&C Constabulary as soon as possible after commencement of duties.

3.6.2 Confidentiality

All staff engaged in the management and operation of the CCTV system are to observe strict confidentiality in respect of all information gained and observed during the course of undertaking the management and operation of the CCTV system. This shall prohibit the disclosure of any such information to any third party (except as may be required by law) without the written consent of the Service Director for Street Services or his/her nominee.

The Contracts of Employment of all employees engaged in any capacity whatsoever in the operation of the CCTV system and the control room shall contain a confidentiality clause. Any breach of this condition of employment will be dealt with by the Council as a serious disciplinary or possibly a criminal matter.

3.6.3 Misuse of the System

The purpose of the CCTV cameras is to provide surveillance of public areas only. All cameras locations will be clearly visible and signage will give a clear warning that CCTV is in use, Plymouth City Council will not use covert cameras. Cameras will be sited and configured to view just public areas and not overlook private dwellings or other areas where privacy is expected. However, it will not always be possible to achieve this and certain cameras may have the capability of viewing private/unwanted locations, e.g., through the zoom facility. These cameras will have privacy zones or Privacy Impact Assessments for each of the cameras to remove/mitigate the intrusion into private space.

CCTV staff will only use the cameras to view public areas and not use the cameras to look into the interior of any premises or any other area where any infringement of privacy may occur. This clause also includes anything which may be deemed as an inappropriate invasion of personal space even though the person concerned may be in a public area. Any such breach of this condition will be dealt with as gross misconduct or a criminal offence and therefore a breach of contract.

The only exception will be when observation of a private space is requested under the Regulation of Investigatory Powers Act 2000. Such co-operation will only be agreed to after the request has been scrutinised and approved by the C.E.M in the first instance, but in line with Plymouth City Councils Surveillance policy & procedures, quoted below;

The use of the CCTV systems operated by the Council does not normally fall under the RIPA regulations. However it does fall under the General Data Protection Regulations 2018 and the Council's CCTV policy. Should there be a requirement for the CCTV cameras to be used for a specific purpose to conduct surveillance it is likely that the activity will fall under Directed Surveillance and therefore require an authorisation. Levels of authorisation differ between different enforcement organisations. Local Authorities RIPA operations will require the authorisation of a Magistrate before CCTV can mount a surveillance operation.

On the occasions when the CCTV cameras are to be used in a Directed Surveillance situation either by enforcement officers from relevant departments within the Council or outside Law Enforcement Agencies such as the Police, either the CCTV staff are to have a copy of the application form in a redacted format, or a copy of the authorisation page. If it is an urgent oral authority, a copy of the applicant's notes are to be retained or at least some other document in writing which confirms the authorisation and exactly what has been authorised. It is important that the staff check the authority

and only carry out what is authorised. A copy of the application or notes is also to be forwarded to the C.E.M or duty supervisor for filing. This will assist the Council to evaluate the authorisations and assist with oversight.

Operators of the Councils CCTV system need to be aware of the RIPA issues associated with using CCTV and that continued, prolonged systematic surveillance of an individual may require an authorisation.

The cancellation process should also be used to evaluate whether the objectives have been achieved and whether the applicant carried out what they stated was necessary in the application form. This check will form part of the oversight function. Where issues are identified they will be brought to the attention of the line manager and the Senior Responsible Officer (SRO). This will assist with future audits and oversight.

Any person granting an authorisation for the use of directed surveillance must record on the appropriate form the matters they took into account in reaching their decision and they must be satisfied that:

- no overt means are suitable for the purpose
- the authorisation is for a prescribed lawful purpose (see above)
- account has been taken of the likely degree of intrusion into the privacy of persons other than those directly implicated/targeted in the operation or investigation (collateral intrusion)
- Measures are to be taken, where ever practical, to avoid unnecessary intrusion into the lives of those affected by collateral intrusion.
- The authorisation is necessary.
- the authorised surveillance proposed is proportionate;
- any equipment to be used and its technical capabilities is specified”

When an approved covert observation is approved and in place, the Senior D&C Constabulary Officer in partnership with the C.E.M will place the appropriate level of restriction on access to the CCTV centre.

3.6.4 Requirement to Give Evidence

The CCTV staff will be required to co-operate with the Police as requested, in accordance with the terms of this code of practice

3.7 Training

3.7.1 Initial Training

All CCTV staff will be trained to a proficient level before they are allowed to take up a solo position in the control room.

All staff training will be provided and supervised by persons qualified and experienced in all aspects of the management and operation of the CCTV system and the control room.

All staff training will take place ‘in-house’ or with qualified third party training organisation, using training courses approved by both Plymouth City Council and Security Industry Authority (SIA)

All staff will be required to obtain an SIA CCTV licence to operate CCTV equipment in the Control Room.

3.7.2 On-going Training

All CCTV staff will be provided with regular 'refresher training' to ensure that the highest operating and management standards are maintained. Training records will be maintained for each member of staff employed in the control room.

4. DATA RECORDING

4.1 Ownership of Copyright

All equipment located in the Council control room and all recorded information recorded from the CCTV system and stored on any form of recording media held either internally or externally will remain the property of Plymouth City Council. This includes any data collected by the D&C Police CCTV officer and their use of their terminal at Charles Cross Police Station

4.2 Recorded Data

4.2.1 Type of Recording

All images from the CCTV system will be recorded onto hard drives using the Tecton Nucleus recording system. The only exception to this will be those images recorded from remote cameras and recorded locally.

4.2.2 Recording Rotation

The Tecton recording system will store recorded data for a maximum period of 28 days.

4.2.3 Security of Recorded Data

The data recorded in the Council control room will be used only by the Council or D&C Constabulary or others permitted by the Council for a specific and legitimate purpose, and only then in secure conditions.

The recorded data will only be used by the Council or by the Police or others permitted by the Council for the following authorised purposes:

- Investigation or identification of person(s) suspected of criminal or anti-social behaviour;
- Production in a court of law by the Police or other law enforcement agency for evidential purposes;
- Production by the Council for lawful purposes in connection with the Council's statutory duties;
- For training and promotional purposes subject to the approval by the Council's Head of Community Connexions or his/her nominee.
- Approved use for disciplinary or fraud investigations against employees of Plymouth City Council.

In no circumstances will the recorded data recorded in the control room be issued, given or sold to any third party by the employees of the Council or the Police without the approval of the Council's Service Director for Street Services or his/her nominee.

5. PROCEDURES FOR HANDLING INCIDENTS SEEN BY THE CCTV STAFF

5.1 Criminal Activity

5.1.1 Immediate Action

If, during monitoring in the Council control room, the CCTV staff observe an incident that involves, or appears to involve, unlawful or anti-social activity the CCTV staff will alert the police control room using the direct dial procedure or Police Airwave radio. Police can then view the incident live on a dedicated monitor in the police Control Room at Crownhill Police Station. The Police will follow their internal confidentiality processes for monitoring of these images.

D&C Constabulary will be responsible for all subsequent response and allocation of police resources. Staff will continue to monitor and record the incident and give such assistance as the Police may require.

5.1.2 Follow-up Action

The CCTV staff will log the time, date, and details of the incident and the police incident number notified in the Incident Log.

5.2 Other Notable Activity

5.2.1 Immediate Action

If, during monitoring, the CCTV staff sees an incident that does not involve, or appear to involve unlawful activity, but does require Police, other emergency service, or Council action, they will immediately alert the relevant agency.

The relevant agency will be responsible for deciding what level of response is required.

5.2.2 Follow-up Action

The CCTV staff will log the time, date, and details of the incident and the police incident number notified in the Incident Log.

6. POLICE USE OF RECORDED DATA

6.1 Reason to View Recorded Data

When D&C Constabulary have reasonable cause to believe that an incident has been recorded, they may ask the Council for permission to view the specified incident on the appropriate recording. A Police Officer, Police Community Support Officer or other authorised employee authorised in a manner agreed between the Council and the Police will be permitted to view the recording at the control room on a monitor provided for this purpose. Browsing images for possible offences will not be permitted.

6.2 Council Action on Receiving a Request to View Recorded Data

6.2.1 Release of Data to the Police

At no time shall the images supplied to the Police be used for anything other than the purpose specified and identified when the images were released from the control room.

The responsibility for the images safekeeping and integrity will transfer to D&C Constabulary. The Council will not be liable for any mishandling, compromise in security or other misuse of the recording media whilst in the custody of D&C Constabulary.

6.3 Use of Visual Data as Evidence in Court

6.3.1 Continuity of Evidence

For any images to be used as evidence in any court action there must be evidence of continuity of handling of the said images from the time it was first brought into use in the control room to its production in Court as evidence.

Any images released from the control room to D&C Constabulary will be dealt with under their existing Property and Exhibit Handling Procedures before leaving the control room. The images will be kept secure at all times thereafter and D&C Constabulary will be responsible for logging its movements.

6.3.2 Copies of Original Recorded Data

Only under exceptional cases for serious incidents will the original recorded data be retained. This will only be considered on request by a Police Inspector or senior officer and the retention must be approved and authorised by the Service Director Street Services or his/her nominee.

In all cases, with the exception of the above, the original data will no longer be retained in the Council control room. The images of the evidence provided to the police will become the master copy. This will be provided to the Police who will retain it for as long as is necessary. However the material recorded thereon remains the property and copyright of Plymouth City Council.

6.3.3 Handling of Recorded Data after use in Court

At the conclusion of the need to retain any original recording D&C Constabulary will store the recording in accordance with their procedures. Recordings will not be returned to the Council for storage.

6.3.4 Request to View Recorded Data by Agencies other than D&C Constabulary

If, in exceptional circumstances, the release of recorded data is requested by agencies other than D&C Constabulary, such a release will only be granted on the authority of the Service Director for Street Services or his/her nominee. The procedures for handling and logging the recorded data are as described for the release to D&C Constabulary, however commercial agents such as insurance companies shall be charged a fee of at least £105+vat to cover administration costs.

Any requests from members of the general public or a third party will be dealt with under the provisions of the GDPR 2018 or the Freedom of Information Act 2000. Further information is available on the Council's website.

The release of information to individuals must be made on the appropriate form in accordance with the Subject Access Request Policy

6.3.5 Release of Images for Entertainment Purposes

Only under exceptional circumstances, and with the authority of the Plymouth City Council Legal and Corporate Teams, will any images be released, either directly or indirectly, to any organisation for inclusion in any television or other media production designed purely for entertainment purposes or educational/factual programs. Likewise material can be released to the media if part of an on-going crime investigation by the police with the permission of the Service Director for Street Services.

7. COMPLAINTS PROCEDURE AND COMMENTS

7.1 The Procedure for complaints against the CCTV System

7.1.1 Any complaint received regarding CCTV operations will be dealt with following the Complaints Procedures laid down by Plymouth City Council. Information on how to complain is contained on the council’s website or by telephoning (01752) 668000

7.2 COMMENTS

7.2.1 Anyone wishing to make comments or observations about the CCTV system should write or e-mail the C.E.M - their contact details are on the last page of this code.

8. LEGAL REQUIREMENTS

8.1 CCTV Staff Legal Requirements

8.1.1 At all times, and without exception, the Plymouth City Council’s CCTV System and its CCTV staff will comply with all legislation, directives, policies, codes of practices and guide lines relating to the operation of the CCTV system A full list of the relevant legislation and copies of this and the Information Commissioner and Surveillance Camera Commissioner’s Codes of Practice are available on our CCTV pages.

8.1.2 All Officers of the Plymouth City Council’s CCTV System are trained in all their responsibilities to meet the requirements under paragraph 8.1.1 above, with a planned ongoing review programme in place.

9. PROVISION OF PUBLIC INFORMATION

9.1 The Plymouth City Council’s Code of Practice is available for inspection at the following locations:

- First Stop – 71 New George Street
- Ballard House Reception, West Hoe Road
- Plymouth City Council CCTV Website

Signed.....

Date.....

Appendix I to HDC Code of Practice dated August 2020

Additional Contact Details:

Plymouth City Council website **www.plymouth.gov.uk**
Civil Enforcement Manager: **darren.stoneman@plymouth.gov.uk**
Plymouth City Council Enquiry Line: 01752 668000

The Information Management Officer: (for Data Access Requests)

www.plymouth.gov.uk/homepage/councilanddemocracy/information/personalinformation

info@plymouth.gov.uk

The Information Commissioner
The Surveillance Camera Commissioner
Wycliffe House PO Box 29105
Water Lane London
Wilmslow SW1V 1ZU
Cheshire SK9 5AF
Tel: 01625 545700 Tel: 0171 825 3421
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