


NOT PROTECTIVELY MARKED

 <p>North East Lincolnshire Council www.nelincs.gov.uk</p> <p>Balfour Beatty WorkPlace</p> <p>Working in Partnership</p>	Security	Ref: 1000
		Rev: 1
	CCTV CODE OF PRACTICE	Author: Security Manager
		Date: 20/08/13

Employees' Guide

NOT PROTECTIVELY MARKED

BACKGROUND INFORMATION				
Document Purpose	Guidance			
Author	CCTV Security Manager			
Last Review and Publication Date	August 2013			
Target Audience	NELC Staff/BBW Staff			
Subject	Employees' Guide CCTV CODE OF PRACTICE			
Reference and Version	NELC / BBW V100			
Location of Published Copy	www.nelincs.gov.uk/			
Copyright	NELC			
Equality Analysis	N/A			
Risk Assessments	N/A			
Name of Lead Officer undertaking Assessments	N/A			
Action Plan with Recommendations Produced	N/A			
Review Date	August 2015 (or subject to legislative changes)			
Corporate Priorities	Levels of Impact			
	High	Medium	Low	None
All people in North East Lincolnshire benefit from a strong economy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All children, young people and adults are ready for work and have skills for life	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All people in North East Lincolnshire enjoy good health and wellbeing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Determination to be an efficient and effective council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Contents

Number	Heading	Pages
1.0	Introduction	4 - 6
2.0	General Principals	6 - 7
3.0	Purpose of the Scheme	7
4.0	The Key Objectives	7
5.0	Procedures/SWP's	7
6.0	Data Protection Act, 1998	7 -8
7.0	Regulation of Investigatory Powers Act	8 - 9
8.0	Human Rights Act, 1998	9
9.0	Changes to the Code	9
10.0	Management and Responsibilities of the System	9 -10
11.0	Installation Criteria	10 -11
12.0	Accountability	11
13.0	Public Information	11 -
14.0	Assessment of the Scheme and Code of Practice	11
15.0	Management and Operation of the Scheme	11 - 12
16.0	Staff	12
17.0	Complaints	13
18.0	Breaches of the Code of Practice	13
19.0	Control and Operation of Cameras	14
20.0	Communication with other Schemes	14
21.0	Access to the Control Room	14 - 15
22.0	Release of information to Police and other Enforcement Bodies	15 - 16
23.0	Release of information in response to data subject access requests	17
24.0	Release of information to third parties	17
25.0	General tape/disk Management	17 - 18
26.0	Photographs	18
27.0	Dealing with Incidents	18
28.0	Police use of the System	18 -19
29.0	Rapid deployment cameras (RDC)	19 - 20
30.0	Body Worn Cameras (BWC)	
Appendix A	- CDRP Partnership Protocol Document	
Appendix B	- Surveillance Request Form	
Appendix C	- RIPA Authorisation Signatories	
Appendix D	- Police Review Request Form	
Appendix E	- Subject Access Request Form	
Appendix- F	- CCTV Review Request Form	
Appendix G	- Rapid deployment camera Protocol	
Appendix H	- Body Worn Cameras protocol	

Introduction

- 1.1 North East Lincolnshire Council has a legal responsibility in respect of the Crime and Disorder Act, 1998 to take a lead role in reducing crime and disorder in their area. The Council has made a commitment in line with this responsibility to provide and maintain a CCTV Surveillance facility which supports the police and other agencies in reducing crime and the fear of crime. It is acknowledged by the Council that CCTV has an important role to play in reducing crime and the fear of crime in areas covered by CCTV, however, there is a clear understanding that its success can only be realised when its application is integrated into and complemented by other crime and disorder initiatives adopted by North East Lincolnshire Community Safety Partnership (CSP).
- 1.2 North East Lincolnshire Council owns and monitors, from its Control Room in Doughty Road Depot Grimsby, 154 closed circuit television cameras, and 15 rapid deployment cameras for high crime and disorder areas, for the purpose of crime surveillance in public areas. The surveillance system covers the following areas:-

Old Market Place	Grimsby
Bull Ring Lane	Grimsby
Victoria Street West	Grimsby
East St. Mary's Gate	Grimsby
George Street	Grimsby
Bus Station	Grimsby
Bethlehem Street	Grimsby
Brewery Street	Grimsby
Wingate Parade	Grimsby
River Head	Grimsby
St. James Square	Grimsby
Garden St. Car park	Grimsby
Freeman Street	Grimsby
Orwell Street	Grimsby
Garibaldi Street	Grimsby
Peoples Park	Grimsby
Weelsby Park	Grimsby
Grant Thorold Park	Grimsby
Duke of York Gardens	Grimsby
Weelsby Park	Grimsby
Discovery Centre	Cleethorpes
Kennedy Way	Immingham
Washdyke lane	Immingham
High Street Car Park	Cleethorpes
St. Peter's Avenue C/P	Cleethorpes
St. Peters Avenue	Cleethorpes
Market Place	Cleethorpes
Dolphin Gardens	Cleethorpes
Sea Road	Cleethorpes
North Promenade	Cleethorpes

NOT PROTECTIVELY MARKED

Central Promenade	Cleethorpes
High Cliff Road	Cleethorpes
Brighton Street Slipway	Cleethorpes
High Street	Cleethorpes
Alexandra Road	Cleethorpes
Kingsway	Cleethorpes
Boating Lake Car Park	Cleethorpes
Short Street	Cleethorpes
Wardle Street Car Park	Cleethorpes
Meridian Point	Cleethorpes
Kings Road	Cleethorpes
Sydney Park	Cleethorpes
Waltham Village x9	Waltham

- 1.3 The CCTV system consists of predominantly colour multi-functional cameras utilizing a combination of fibre optic cables, microwave, broadband and wireless links as a means of transmission.
- 1.4 The CCTV system is operational 24 hours per day and is staffed by trained and licensed Balfour Beatty personnel.
- 1.5 The system has a facility to relay live pictures to Grimsby Police Station Control Room. This arrangement is supported by direct communication links between the control rooms and allows police to view live pictures from any of the linked cameras. There is no direct control facility provided for the police or any direct recording facility.
- 1.6 The system is owned by North East Lincolnshire Council and monitored by Balfour Beatty Work Place their partners and staffed by Balfour Beatty employees.
- 1.7 The Chief Executive has delegated responsibility, for ensuring the Council is legally responsible for the system and as such is the data controller for the purposes of the Data Protection Act, 1998.
- 1.8 All recorded material is owned by and the copyright of North East Lincolnshire Council.
- 1.9 The system is only to be used for purposes detailed in this Code of Practice, processing of the information collected is to be solely for the exercise of a function of a public nature undertaken in the public interest as defined by paragraph 5(d) of Schedule 2 of the Data Protection Act, 1998 and under Schedule 3 of the same Act, to meet the Council's obligations under the Crime and Disorder Act, 1998 and Human Rights Act, 1998.
- 1.10 The CCTV system will only be extended into new areas following –
 - extensive public consultation which confirms that the local community is in favour and
 - detailed crime patterns analysis indicate CCTV is the most effective way of addressing the problems identified

NOT PROTECTIVELY MARKED

- 1.11 The ultimate aim of the system is to make North East Lincolnshire a desirable place to live and to raise the public and business perception of what North East Lincolnshire has to offer, making it an attractive choice for shopping, recreation, business and tourism.
- 1.12 It is important to emphasise that the CCTV system is not a “spy system”. It is intended to detect crime and the criminals involved and lead to successful prosecution. There will be no interest shown in or deliberate monitoring of people, or employees of the North East Lincolnshire Council, carrying out their legitimate business.
- 1.13 The system will not be used for the investigation of specific matters by the Local Authority such as Housing and benefit fraud. When agencies with prosecution powers such as Customs and Excise, Health and Safety Executive, Environment Agency etc. request evidential material it will be provided upon the approval of the Chief Executive.
- 1.14 This Code of Practice has been agreed in consultation with Safer Communities Partnership and the Police and has been prepared for the guidance of all users of the system, including the management and staff of North East Lincolnshire Council, Humberside Police and any other persons or bodies who are involved in the system. The Council is committed to comply with all aspects of the CCTV Code of Practice.

2. General Principles

- 2.1 The system will be operated fairly, within the law, and only for the purposes for which it was established or which are subsequently agreed in accordance with this Code of Practice.
- 2.2 The system will be operated with due regard to the principle that everyone has the right to respect for his or her private and family life and their homes in accordance with the provisions of the Human Rights Act, 1998.
- 2.3 North East Lincolnshire Council will adhere to the amended surveillance camera code of practice published June 2013
- 2.4 The public interest in the operation of the system will be recognised by ensuring the security and integrity of operational procedures.
- 2.5 Throughout this Code of Practice it is intended, as far as reasonably possible; to offer a balance between the objectives of the CCTV system and the need to safeguard the individual’s right to privacy. Throughout the Code every effort has been made to indicate that a formal structure has been put in place, (including a complaints procedure) by which it should be identified that the system is not only accountable, but is seen to be accountable.
- 2.6 Participation in the system by any local organisation, individual or authority assumes an agreement by all such participants to comply fully with this Code and to be accountable under the Code of Practice.

3. Purpose of the Scheme

- 3.1 A reduction in the fear of crime and reassurance of the public.
- 3.2 To help secure a safer environment for those people who live, work and visit the area.
- 3.3 The detection, deterrence and prevention of crime, such as:
 - providing assistance in the prevention of crime;
 - deterring and detecting crime;
 - helping to identify, apprehend and prosecute offenders;
 - providing the Police with evidence to take criminal action in the courts;
 - the maintenance of public order;

4. The Key Objectives

- 4.1 To detect, prevent or reduce the incidence of property crime and offences against the person.
- 4.2 To reduce theft of vehicles and theft from vehicles both on street and in car parks.
- 4.3 To improve general security in retail areas, both in terms of personal security and security of buildings and premises, to make the Town Centres a more attractive area to live, shop, work or socialising.
- 4.4 To improve communication and the operational response of police patrols in and around the Town Centres.
- 4.5 To reduce the level of street crime, vandalism and public disorder in the areas covered by the scheme.
- 4.6 Prevent and respond effectively to all harassment.
- 4.7 Reduce graffiti, vandalism and other criminal damage to improve the environment and reduce costs.

5. Procedures

- 5.1 The Code of Practice is underpinned by a set of procedures which translates the principles and purposes of the Code of Practice into operational instructions and practices known as Local Operational Procedures (LOP's). These procedures will cover all operational aspects of the scheme and circulation of the LOP's will be restricted and controlled.

6. Data Protection Act, 1998

- 6.1 The CCTV system is registered with the Office of the Information Commissioner; with North East Lincolnshire Council being nominated as the data controller.
 - All data will be processed in accordance with the principles of the Data Protection Act 1998.
 - All personal data will be obtained and processed fairly and lawfully.
 - Personal data will be held only for the purposes specified.
 - Personal data will be used only for the purposes, and disclosed only to the people, shown within these codes of practice.

- 6.2 Only personal data will be held which are adequate, relevant and not excessive in relation to the purpose for which the data is held, which, in summarised form, includes, but is not limited to;
- Steps will be taken to ensure that personal data is accurate and where necessary, kept up to date.
 - Personal data will be held for no longer than is necessary.
 - Individuals will be allowed access to information held about them and, where appropriate, permitted to correct or erase it.
 - Procedures will be implemented to put in place security measures to prevent unauthorised or accidental access to, alteration, disclosure, or loss and destruction of information.
 - Above all the system will comply with the Code of Practice issued by the Data Protection Commissioner in July, 2000.

7. Regulation of Investigatory Powers Act, 2000 (RIPA)

- 7.1 The Regulation of Investigatory Powers Act, 2000 came into force on 2nd October, 2000 to regulate the use of relevant investigatory powers in accordance with Human Rights. This Act was further amended in November 2012. The Act regulates both “Directed” and “Intrusive” surveillance. This Authority is not authorised to undertake intrusive surveillance.
- 7.2 With regard to “Directed” surveillance, S.26 (2) defines this as a pre-planned activity which is:
- undertaken in relation to a specific investigation or a specific operation which is likely to result in the obtaining of private information about a person
- 7.3 The procedures set out in this Code of Practice are underpinned by the North East Lincolnshire Community Safety Partnership (CSP) Protocol (Appendix A) for the deployment and use of Covert Surveillance Equipment.
- 7.4 There will be occasions when the Authority will use the CCTV system to undertake “Directed” surveillance providing the purpose of such surveillance is compatible with the provisions contained within the Act. An authorisation under RIPA will only be given if the surveillance operation is for the purpose of preventing or detecting a criminal offence and the offence is punishable by a maximum term of 6 month’s imprisonment or would constitute an offence under sections 146, 147 or 147A of the Licensing Act 2003 or section 7 of the Children & Young Persons Act 1933.
- 7.5 Targeted police operations, where it is requested that the Council’s CCTV, will be used, will be authorised by the Police in writing prior to the commencement of any such operation. The police can make an application under RIPA for an authorisation for directed surveillance to be carried out by the Balfour Beatty CCTV operators *on behalf of* the Police. (Appendix B) However, such observations will only be undertaken for good reason, and align to the purposes and key objectives set out in this Code and in compliance with both the Human Rights Act, 1998 and the Regulation of Investigatory Powers Act, 2000.

NOT PROTECTIVELY MARKED

- 7.6 Therefore any applications for pre-planned observations into a public place shall be in accordance with the requirements set out in the CSP protocol document and sanctioned by an authorising officer.
- 7.7 A public place for the purpose of this Code is described as 'A place to which the public have access whether on payment or not'.
- 7.8 Such Police requests will also be reviewed, prior to commencement, by the, Group Manager – Legal & Democratic Services or nominated Officer who will confirm in writing their permission for the Council's CCTV operators to carry out "Directed" surveillance *on behalf of* the Police (Appendix C).

8. Human Rights Act, 1998

- 8.1 The system will be operated with due regard to the Human Rights Act, 1998 and in particular the provisions of Article 8, conveying on an individual the qualified right to respect for his or her private and family life.
- 8.2 No interest will be shown in private property and cameras will not look into such areas, unless it is part of an authorised Police operation. In addition, the use of cameras elsewhere will be proportionate to the objectives detailed in this Code of Practice.
- 8.3 Controls, including Privacy Zones, which cannot be overridden by Operators, will be maintained to ensure the system does not record what is happening within residential premises. Operators have clear guidelines and any inadvertent contraventions will be recorded in writing and the reasons for the occurrence given. Arrangements for the management and audit of the scheme which are intended to address individual privacy will be made.

9. Changes to the Code

- 9.1 Revision and changes to the Code of Practice will be subject to review, and will occur during the life of the CCTV scheme. The need for revision and change will arise in response to evaluation of the Code, as a result of recommendations arising from audit, the need for change identified during operations, or changes to relevant legislation.
- 9.2 Major changes must be agreed with the Police and elected Members. Minor changes which do not compromise the principals embedded in the Code will be agreed with the Group Manager – Legal & Democratic Services.

10. Management and Responsibilities of the System

- 10.1 The management is provided by the Strategic Director of Environment, Economy and Housing through their nominated officers.
- 10.2 The day to day management of the system will be the responsibility of the Security and CCTV Manager. The Security /CCTV Supervisor will deputise for the Security and CCTV Manager in his/her absence.

NOT PROTECTIVELY MARKED

- 10.3 The Security Services management team is responsible for the introduction, maintenance and implementation of the Code of Practice and for ensuring compliance with the Operational Procedures Manual.
- 10.4 Operational documentation shall include details on the roles, responsibilities and lines of communication of management.

11. Installation Criteria

- 11.1 The system shall only be added to when it can be demonstrated that public safety can be enhanced or crime reduced and that these features are sustainable.
- 11.2 Any proposed expansion must complement the general principles and key objectives.
- 11.3 Any proposal for future expansion of the CCTV system should have the support of the CSP.
- 11.4 Public confidence and acceptability is paramount in any CCTV system. It must be proven, through consultation, that the public in any proposed expansion areas supports the installation of CCTV.
- 11.5 This is particularly critical where expansion into semi residential or residential areas is being considered.
- 11.6 In addition to public consultation, where appropriate other stakeholders should be consulted. This may include:
- the Safer Communities Partnership,
 - the Town Centre Forum,
 - Chamber of Trade,
 - Chamber of Commerce, and
 - Social Housing Landlords.
- 11.7 Any future expansion which meets the criteria will be dependent upon funding being available and authorisation being granted by the appropriate funding group and Cabinet. The capital finance for future CCTV expansion may be funded wholly by North East Lincolnshire Council or in partnership with others or by external funding. In each instance it will be necessary to demonstrate that in addition to the capital funding element, resources are available to meet the revenue and replacement / repair costs of the equipment.
- 11.8 Additions to the CCTV system will not be approved unless a sustainable revenue source can be guaranteed.
- 11.9 Any additions to the CCTV system must be technically compatible with the existing equipment. Any technical specification must be approved by the Strategic Director Environment, Economy and Housing or nominated officer based on the advice from an approved specialist consultant.

NOT PROTECTIVELY MARKED

- 11.10 No sound will be recorded as part of the fixed CCTV installation, except where “help points” are provided. However before such technology is employed, full consultation will take place.
- 11.11 The Partnership Car Parks Department operate 18 body Worn Cameras. The equipment is to be deployed overtly for the purposes of deterring verbal and physical abuse to staff, capturing evidence for prosecuting any verbal or physical assaults. To enable proper use of the system sound / audio will be recorded. All such data will be properly managed in line with the COP, the Data Protection Act and the BWC Deployment Protocol (**appendix H**)
- 11.12 No dummy cameras will be used in the scheme. It is important to not make false claims about the effectiveness of the scheme in order to avoid raising false expectations. Public confidence afforded by the scheme should be based on effectively operating the system and dummy cameras have no place in such a system.
- 11.13 It may be that further expansions of the CCTV system may affect the present position in respect of Data Protection. The Strategic Director of Environment, Economy and Housing in consultation with the Group Manager – Legal & Democratic Services must consider this issue and be satisfied that the present position will not be adversely affected (or this Code and/or notifications under the Act are amended) prior to consideration by the Cabinet/ Leader.

12. Accountability

- 12.1 All reports on the system will be made to the Cabinet/Leader.
- 12.2 The Police will comply with the Code of Practice and provide information on a regular basis on the outcomes of CCTV evidence provided to them by the Council.

13. Public Information

- 13.1 Cameras should not be hidden but should, as far as is consistent with the purposes of the scheme, be placed in public view.
- 13.2 Clearly visible signs stating that CCTV cameras are operating will be displayed at the perimeter of the scheme and at other key points. The signs will inform the public who operates the cameras and a contact telephone number, allowing people entering the area to make a reasonable approximation of the area covered by the scheme.

14. Assessment and Review of the Scheme and Code of Practice

- 14.1 Effective evaluation of the scheme is essential to identify whether the purposes of the system are being complied with and whether key objectives are being achieved.
- 14.2 The Evaluation and Audit will include:
- Assessment of the impact upon crime.
 - Assessment of neighbouring areas without CCTV.

NOT PROTECTIVELY MARKED

- Operation of the Code of Practice
- Whether the purposes for which the scheme was established still exist.

15 Management and operation of the scheme

- 15.1 All policies and procedures will be audited in line with NSI gold accreditation to comply with BS17598
- 15.2 It is necessary to monitor compliance with the Code of Practice and operational guidelines.
- 15.3 The Security and CCTV Manager will be responsible for the day to day monitoring of the scheme and its compliance with the code of practice.
- 15.4 Audit is needed to provide an account of the scheme and Code of Practice which tests compliance and is the basis of recommendations for good practice.
- 15.5 This will be carried out by the Service Manager- Audit, Risk, Insurance, and Corporate Fraud of the North East Lincolnshire Council who is not involved in the day to day management of the system and is a non-direct service provider.
- 15.6 Audit will include examination of the following:
- Procedural checks and the maintenance of the security of the system
 - Procedural checks on the management and operational arrangements of the system.
 - In consultation with the Director of Law and Democratic Services compliance with data protection and Human Rights requirements
 - Ensure that there are no infringements of civil liberty
 - Public confidence in the scheme should be addressed by including an independent element in assessment.

16 Staff

- 16.1 Staff employed to work in the Control Room, whether they are operators or Supervisor shall meet high standards of probity.
- 16.2 All staff will be subject to the same disciplinary procedures as apply to other Balfour Beatty employees. Breaches of confidentiality and non-compliance with the Code of Practice will be treated as gross misconduct within the Disciplinary Code.
- 16.3 Staff will be required to disclose any criminal convictions and non-disclosure of relevant matters will be subject to disciplinary action and, if necessary, dismissal if it emerges after appointment.
- 16.4 Full training in all aspects of the system and the Code of Practice will be given to all staff. The Police will be involved in this training in order to give the widest range of awareness and skills to the staff.

NOT PROTECTIVELY MARKED

- 16.5 All Control Room staff will undertake a recognised CCTV Control Room Operators Course and hold a current Security Industry Accredited (SIA) licence.
- 16.6 All staff are subject to the Vetting and Barring process.

17, Complaints

- 17.1 To obtain universal recognition, the Code must make provision for any individual to make a complaint about any aspect of the scheme.
- 17.2 North East Lincolnshire Council's Corporate Complaints Procedure makes provision for any complaint in respect of CCTV operations covered by this Code of Practice.
- 17.3 Complaints can be made to North East Council in any one of the following ways

In writing to:

**Customer Care Team
Municipal Offices
Town Hall Square
Grimsby, DN31 1 HU.**

Complete the form on our website at www.nelincs.gov.uk

Send us an e-mail. The address is customerrequests@nelincs.gov.uk

Phone the Customer Care Team Direct Line 01472 313131

Visit Customer Access Points – Municipal Offices, Grimsby; Civic Offices, Cleethorpes or 1-3 Kennedy Way, Immingham

- 17.4 The Local Government Ombudsman
If you have exhausted all stages of the Council's procedure and are still not satisfied, you can appeal to the Local Government Ombudsman, an independent body which will look into your complaint about the Council. The Ombudsman would normally expect a complainant to have used the Council's Complaints' Procedure before investigating individual cases.

The Ombudsman's address is;

Commission for Local Administration in England,
(Local Government Ombudsman)
Beverley House,
7 Shipton Road, York. YO3 6FZ
Tel: (01904) 66320

- 17.5 Information Commissioner
If you feel your complaint constitutes a contravention of the Data Protection Act you have a right to make the complaint to the Information Commissioner. Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

18 Breaches of the Code of Practice

- 18.1 The responsibility for the Code of Practice and for security rests with the North East Lincolnshire Council.
- 18.2 Any breaches of the Code and security will be the subject of proper investigation by the Council's Auditor. The Auditor will be responsible for making recommendations to the Strategic Director Environment, Economy and Housing after carrying out the investigation.

19 Control and Operation of Cameras

- 19.1 Information recorded should be accurate, relevant and not exceed that necessary to fulfil the purpose of the scheme.
- 19.2 All cameras will be properly maintained and serviced to ensure clear images are recorded.
- 19.3 Operators of the cameras must act with the utmost probity.
- 19.4 Only staff who have been authorised to use the equipment shall have access to operating the controls.
- 19.5 All use of the cameras shall accord with the purpose statement and key objectives of the scheme. Operational manuals will be specific on the use of cameras and the CCTV and Security Manager will, as part of his duties, regularly check the use of all cameras.
- 19.6 Cameras will not look into private property and privacy zones set up by the CCTV and Security Manager will impose restraints on the operators and limit the views available on private premises.
- 19.7 In addition to the checks carried out and documented by the CCTV and Security Manager, the routine audit by the Chief Auditor will also check the operation of cameras.

20 Communication with Other Schemes

- 20.1 The Control Room is linked to a number of related schemes which provide and receive information concerning suspicious activity within the surveillance areas. These links are defined as:
- 20.2 The Council's on street Car Park Enforcement operation have a radio link with the Control Room. The link is only available to parking wardens who have a responsibility for security on car parks managed by the Council. Full training on correct use is provided by the Car Parks Manager.

21. Access to Control Room

- 21.1 The CCTV Control Room is a totally secure working environment. There will be no right of access for anyone other than the authorised staff and duty officers. All types of ancillary staff who may need access to the Control

NOT PROTECTIVELY MARKED

Room, e.g. cleaners, service engineers, etc. will be appropriately vetted and authorisation checked where applicable.

- 21.2 It is important that operations are managed with minimum of disruption and therefore, other than by accredited lay visitors, casual visits will not be permitted.
- 21.3 Visitors attending as part of an organised presentation will be permitted to enter the Control Room subject to the prior approval of the Strategic Director Environment, Economy and Housing or his nominated officer. Such visits will be restricted to the following hours:-
10.30 am to 12.30 pm
2.30 pm to 4.30 pm
6.30 pm to 8.30 pm
- 21.4 Visitors will be reminded of the need for confidentiality and will be required to sign the visitors log individually and an accompanying Confidentiality statement prior to access.
- 21.5 Except where defined otherwise in the Code of Practice, Police visits to the Control Room will be by prior arrangement.
- 21.6 Should the monitors be left unattended, the Control Room is locked against unauthorised entry via a fob access system, only authorised persons will be issued with a fob.
- 21.7 In most situations the Duty Officer will decide when the Police monitor should be used and what will be shown. The Police may wish to see all examples of criminal activity, public disorder, violence or matters of safety. On occasions the Police may ask for a picture to be displayed on their monitor. If the request falls into one of the above categories that request will be granted.
- 21.8 In most situations the Duty Officer will decide when the Police monitor should be used and what will be shown, but It is probable that the Police may ask to view a video recording(s) to seek supporting evidence relating to a crime. That request will be logged and agreed by the Duty Officer, if it falls into one of the four categories above.
- 21.9 Police access for the viewing or seizure of disks will be refused if not supported by a signed authorisation form (as provided by N.E.L.C.) (Appendix D)
- 21.10 Requests outside those categories will be referred to the Strategic Director Environment, Economy and Housing or a nominated officer and, if necessary, in consultation with the Team Manager - Information Governance, Complaints and Consultation.
- 21.11 Communications concerning the day to day use of the Police monitor will be by the dedicated telephone link or via the Airwaves radio.
- 21.12 A visitor's log book and daily occurrence logs will be kept in the Control Room and kept in the Control Centre, these will be kept for a minimum of six years before being disposed as confidential waste.

- 21.13 Health and Safety legislation will be complied with at all times within the Control Room.

22. Release of Information to Police and other Enforcement Bodies

- 22.1 Recording equipment will be tested for correct operation daily and the accurate date/ time confirmed at the start of each operator's shift.
- 22.2 Recorded material will only be used for the purposes defined in this code.
- 22.3 Discs required by the Police for evidence purposes will be as described below and handed to the Police under the Police and Criminal Evidence Act. The Council will not undertake to store data required by the Police for evidence.
- 22.4 Access to view data by the Police will only be for the following purposes unless specifically approved by the Chief Executive.
- 22.5 Regular/daily requests for a review of recordings to trace incidents that have been reported.
- 22.6 Immediate action relative to live incidents, e.g. immediate pursuit
- 22.7 Major incidents that occur
- 22.8 Access to data may be obtained in connection with civil disputes by Court Order, or be extended to lawyers acting for defendants or victims in connection with criminal proceedings. (However, such referrals must first be directed through Team Manager - Information Governance, Complaints and Consultation).
- 22.9 In all cases other than by Humberside Police, the reviewing of archived material will be carried out under the supervision of the Duty manager or nominated officer.
- 22.10 Requests should be made via the CCTV Review Request Form (**Appendix F**) All parts must be completed giving as much information as possible and authorised by the department Manager. The review will then be carried out by the duty officer within five working days. Confirmation will be via return fax/email in the form of a yes or no answer. NO Data or any other information will be released. Any further action will follow process as per 21.
- 22.11 Requests by other bodies, with statutory enforcement powers, to access data will only be granted if an adequate justification with regard to reason and duration is demonstrated at the time of request. All such requests must be approved by the Team Manager - Information Governance, Complaints and Consultation.

23. Release of Information in response to Data Subject Access Requests

NOT PROTECTIVELY MARKED

- 23.1 It is important that access to, and disclosure of the images recorded by the CCTV crime surveillance system is restricted and carefully controlled, not only to ensure that the rights of the individual are preserved, but also to ensure that the continuity of evidence remains intact should images be required for evidential purposes. This Code of Practice conforms to the Second and Seventh Data Protection Principles and so copies of images may only be released for reasons which are compatible with the purposes of CCTV system.
- 23.2 The right to access material by data subjects is provided in Section 7 of the Data Protection Act, 1998. Any person therefore wishing to access personal data that may be recorded will be provided with a standard subject access request form and explanatory leaflet (Appendix E). The form will request sufficient information to allow a search to be made. Such information will include the time, date and place and in addition a recent photograph must also be supplied by the individual making the request in order for the correct images to be located. The maximum search fee allowed under the Act will be required for each search requested.
- 23.3 In accordance with the provisions of the above Act, all requests will be responded to within 40 days of receiving the required search fee and information.
- 23.4 It must be noted that only images of the individual making the request will be released.
- 23.5 If it is decided that information cannot be provided to an individual making a data subject access request, the Team Manager - Information Governance, Complaints and Consultation will provide a written response within 21 days of receiving the request, setting out the decision of the North East Lincolnshire Council and the reasons for such a decision.

24. Release of Information to Third Parties

- 24.1 Access to recorded images is restricted to those staff that need access in order to achieve the purposes of the CCTV crime surveillance system.
- 24.2 Release of information to the media will only be where it is decided that the public's assistance is needed in order to assist in the identification of victim, witness or perpetrator in relation to a criminal incident. This decision will be taken by the Council's Chief Executive in consultation with the Divisional Commander and will have due regard to the wishes of the victim.
- 24.3 Recorded images will not be made more widely available and will not be made routinely available to the media. No recorded material will be sold or used for commercial purposes or the provision of entertainment.

25. General Data Management

- 25.1 Discs will be provided by and remain at all times the property of North East Lincolnshire Council and will be controlled by copyright.

NOT PROTECTIVELY MARKED

- 25.2 All discs purchased will be alpha-numerically identified and their receipt and number entered into a stock log. The same log will also indicate when they are put into service and by whom. The responsibility for controlling the use of data disks lies with the Duty Officer.
- 25.3 In accordance with the Home Office and Data Protection Commissioner recommendations, recordings for each day will be kept for up to 31 days before they are erased from the Vigilant Recording system.
- 25.6 An evidence log will be kept of all recorded incidences. It will show the name of the duty operator, time, date, cameras, used and details of the incident. A separate log will be maintained of when the master copy is handed to the Police. Staff will be required as necessary to provide the Police with statements for evidential purposes.
- 25.7 Details will include name of duty operator and Police Officer, details of incident, reference number, date when handed to Police and Police identification code(s).
- 25.8 The Vigilant systems are set to record for a period of 31 days. After this time the system will automatically remove all data and restart the recording process.
- 25.9 All requests to view images recorded will require and follow the procedures as detailed above
- 25.10 Once placed on disc the images will be held in the relevant month's folder in the digital evidence locker. Unless specifically requested the images will be deleted after a period of 31 days.
- 25.11 A request to hold images for longer must be in writing, Once received the images will be moved to a separate folder and "locked" onto the system for an agreed period or for not more than six (6) years. Requests for longer storage must be approved by the Council's Chief Executive.

26. Photographs

- 26.1 There is no facility for still photographs on the Vigilant Recording system at the present time.

27. Dealing with Incidents

- 27.1 All incidents or possible incidents seen by the operators will if possible be put onto the Police monitors at Grimsby Police Station to take the necessary action. The responsibility to respond to any circumstances shown on the Police monitors rest solely with the Police.

28. Police Use of the System

- 28.1 The Police have no direct control of the system.

NOT PROTECTIVELY MARKED

- 28.2 An Inspector identified by the Superintendent at Grimsby Police Station shall be responsible for day to day liaison purposes.
- 28.3 Access to the Control Room for Police Officers in the course of their normal duties shall be authorised by a Police Officer of rank of Inspector or above.
- 28.4 Telephone calls from the Police will be recorded in the log sheets by the operator.
- 28.5 When major incidents arise such as serious crimes, serious public disorder, bomb explosions/threats, or serious fires, the Police must seek the authority from the Chief Executive in consultation with the Leader of the Council for the Police to take over supervision of the Control Room.
- 28.6 The Duty Officer will then respond accordingly and ensure that appropriate assistance and guidance is given but will retain, as far as is practicable, the monitoring of the equipment controls. The log should record the time at which Police assumed responsibility.
- 28.7 In circumstances when problems are anticipated during any part of a shift, arrangements may be made for a Police Officer to be present within the CCTV Control Room for liaison purposes. This will normally apply for the duration of the incident and will be subject to the arrangements made by a Police Inspector.
- 28.9 Should the Duty Officer receive phone calls regarding any potentially serious incidents a full record of exactly what is said must be made.

29. Rapid Deployment Cameras (RDC)

- 29.1 In addition to the main scheme North East Lincolnshire Council owns and operates through its partners 17 Rapid Deployment cameras (RDC's).
- 29.2 The cameras can be deployed into any area at short notice allowing images to be viewed live at the Control Room.
- 29.3 Camera deployment is managed through Humberside Police and NELC Safer Communities, The SC CCTV User group will meet at regular intervals and agree any changes to the location of the cameras based on Crime and Disorder statistics presented from both areas. Priority tasking will be derived from the information.
- 29.4 It is the responsibility of the Safer Communities designated officer to ensure that all information required to monitor and provide effective evidence from the system is provided.
- 29.5 It is the responsibility of the CCTV Manager to ensure all required information is reported back to the designated officer at the end of each month to enable informed decisions to be made regarding future deployment.
- 29.6 All RDC deployments, management and operation will be in conjunction with the RDC Deployment Protocol (**Appendix G**).

- 29.7 All management for the retention, provision, review of data from the RDC system will conform to this COP 2.1.0 - 21.7 – 24.0

30. Body Worn Cameras (BWC)

- 30.1 North East Lincolnshire Council owns and operates through its partners 18 Body worn cameras within its Car Parks Department.
- 30.2 The equipment is to be deployed overtly for the purposes of deterring verbal and physical abuse to staff, capturing evidence for prosecuting any verbal or physical assaults and can be used to capture stills and video of vehicles in contravention of the on street parking order.
- 30.3 The system will be operated throughout the borough of North East Lincolnshire by parking Enforcement Officers carrying out their daily duties.
- 30.4 It is the responsibility of the Car Parks Manager / Supervisor to ensure that all equipment is maintained and Operates as per instructions and in conjunction with the Code of Practice, operational guidelines and BWC Deployment Protocols (**Appendix H**).
- 30.5 For the purpose of capturing evidence in the case of verbal abuse the BWC System will record audio. All audio recordings will be classed as data and as such will comply as at 30.4