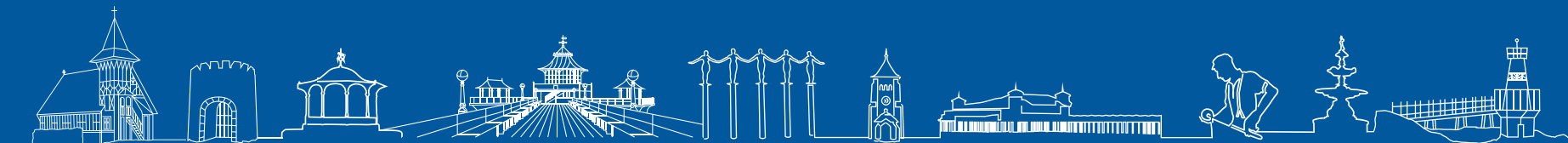


North Somerset Council

Closed Circuit Television (CCTV)

System Code of Practice

Effective from: April 2023



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1. Introduction

1.1 What is the code of practice?

This code of practice explains the purpose, use, management and monitoring of North Somerset Council's Closed-Circuit Television (CCTV) system currently in use in Weston-super-Mare, Nailsea, Clevedon and Portishead. It explains how the public can request to view images or make complaints about how the system is managed. The code of practice has been produced in consultation with the Avon and Somerset Constabulary.

1.2 The purpose of the CCTV system

The purpose of the CCTV system is to:

- Help make the area safe for those people who live, work and trade in it, and those who visit North Somerset
- Help to prevent, detect and reduce crime and disorder in the area.
- Reduce the fear of crime and provide reassurance to the public.
- Assist in crime prevention, countering terrorism, helping to identify/ apprehend/prosecute offenders and to provide the Police and the Council with evidence to take criminal and civil action in the courts.

- assist the Local Authority in its enforcement and regulatory functions within North Somerset.

1.3 The principles of the code of practice

The principles of the code of practice are that:

- Individual's rights are respected and protected
- The system is operated fairly and within the law
- The system is operated only for the purpose it was set up, or agreed later
- Public interest in the system's operation will be recognised by ensuring that the procedures manual is truthful and secure.

1.4 Applying the Code of Practice

Every user of the system will ensure that these purposes and principles are always upheld. Everyone with responsibility under the terms of this Code of Practice and who has any involvement with the system, including visitors to the control room, will be required to sign a Declaration of Confidentiality. Any proposed changes to this Code of Practice will be reported to North Somerset's Standards Committee.

A copy of this code of practice is available at the Town Hall, Weston-super-Mare and on the

council's website. Copies are also available at public libraries and local police stations within North Somerset. If you would like a copy please write to the CCTV Manager,

North Somerset Council
Town Hall
Weston-super-Mare BS23 1UJ

Signs explaining that continuous CCTV monitoring is taking place are displayed in areas covered by the cameras.

2. Definitions

The code of practice is an important document and this section defines specifically the different elements and parties to the North Somerset Council Town Centre CCTV system.

- 2.1** The Owner of the system at Weston-super-Mare, Portishead, Clevedon, and with overall responsibility for the entire systems' operation is North Somerset Council. The system within Nailsea is owned by Nailsea Town Council but is managed by North Somerset Council.
- 2.2** North Somerset Council's Chief Executive is also the Data Controller and can be contacted at:
- Chief Executive
North Somerset Council
Town Hall
Weston-super-Mare BS23 1UJ
Tel: **01934 888 888**
- The Data Protection Officer can be contacted via DPO@n-somerset.gov.uk

- 2.3** The System Manager is the Control Room Manager or any other authorised manager appointed subsequently by North Somerset Council. The Control Room Manager can be contacted at:

North Somerset Council
Town Hall
Weston-super-Mare BS23 1UJ
Tel: **01934 634 711**

The CCTV Operator (which includes the Control Room Manager) is the duty operator(s) employed by North Somerset Council and who is trained to operate the system equipment.

- 2.4** The equipment maintenance contractor is the organisation contracted to maintain the system equipment. For details of the current maintenance contractor please contact the CCTV Manager.

Transmission equipment used in connection with the system is currently maintained by British Telecommunications PLC and ITS Technology Group

- 2.5** The System Auditor is the Council's appointed manager for internal audit and the investigation of all cases of fraud and irregularities.
- 2.6** The system comprises of fixed cameras, real time monitors, time lapse and real time recording (including playing and ancillary) equipment used to transmit data from the cameras to the control room. The system is registered under the Data Protection Act 2018 and is used in accordance with:
- The Police and Criminal Evidence Act 1984
 - The Criminal Procedures & Investigations Act 1996
 - The Human Rights Act 1998
 - The Regulation of Investigatory Powers Act 2000
 - The Freedom of Information Act 2000.

2.7 The CCTV Control Room is located at the Town Hall, Weston-super-Mare.

2.8 Recorded material means any material recorded, either in digital or analogue format, or as a hard copy print, by or as the result of the technical equipment which forms part of the North Somerset CCTV system but specifically relates to images recorded onto DVD, CD, hard-drive or other media. The recorded material is the property of North Somerset Council who also holds copyright in the recorded material.

2.9 Investigating Officers are officers employed by the police (including British Transport Police, Ministry of Defence Police and Military Police), or by a statutory authority with powers of enforcement, such as the Customs and Excise and Trading Standards.

3. The scope of the CCTV system

3.1 Locations

Currently, there are a total of 130 fixed cameras located in North Somerset (at Weston-super-Mare, Clevedon, Portishead and Nailsea).

3.2 Data transmission

The cameras transmit data back to the control room in the Town Hall. In the future, further cameras may be used in the area that can transmit data back to the control room.

Any additional cameras will be installed in compliance of the 'Surveillance Camera Code of Practice Pursuant to Section 29 of the Protection of Freedoms Act 2012'.

3.3 Camera operation

The cameras are fully operational with 'Pan Tilt Zoom' facilities. Cameras will not be used to investigate private property within the range of the system unless authorised under statute and agreed by the system owner.

Images will be recorded for a 28-day period and directly on to hard drives, unless seized as evidence by organisations with enforcing

powers, (for example, police, customs and excise, environmental officers etc).

The system equipment does not record sound and there will be no possibility of recording private conversations.

4. The operation of the CCTV system

4.1 Privacy

The Data Controller will safeguard individuals' privacy and will not allow the system to be used to invade the privacy of any individual in residential, business, or other private premises, buildings or land. This will be achieved by ensuring that a formal procedures manual is in place and that all parties are aware of their responsibilities.

4.2 Procedures manual

The procedures manual will ensure that:

- This code of practice is implemented.
- The system equipment, images and system documents are secure.
- Access to the control room is authorised.
- Visits to the control room are recorded and supervised.
- All parties understand their responsibilities.
- Images, or access to images, are secured and handled in line with legal requirements, so as not to prejudice any subsequent court proceedings.
- There is a clear audit trail for images.

4.3 Supporting systems.

There are systems in place to achieve this and these are summarised below.

The CCTV Operators' primary role is one of continuous monitoring, review and response to incidents seen via the CCTV cameras. The CCTV Manager's primary role is to manage the day-to-day functions of the control room ensuring that the operation is run in accordance with the council's code of practice and procedures manual.

There will be an electronic CCTV database kept of all events during the normal working day. This will include details of:

- Incidents that are reported or seen on camera by the CCTV Operator(s)
- Action taken by the CCTV Operator(s).

A separate visitor's book will be kept and will record:

- Arrival time
- Reason for the visit
- Departure time
- Name and address of visitor's organisation.

To ensure security and confidentiality, visits to the CCTV control room are restricted and will only be allowed with the agreement of the Control Room Manager and/or Supervisor. Such visits will be made under the supervision of the CCTV Operator and will be recorded in the visitor's book.

The removal of any images from the control room for use in legal proceedings will be fully documented.

Any still photograph produced from the system will not be retained for longer than necessary unless required for evidential or other specific person.

Recorded material, including photographs, will not be copied, sold or used for commercial or entertainment purposes under any circumstances.

A maintenance and fault reporting system will be kept which will record details of any maintenance and faults in the equipment when they are reported and when they have been rectified.

All books and documents referred to above will be kept locked in a secure cabinet within the

control room and will be retained for no longer than necessary.

In the event of an incident being seen by a CCTV Operator, they will record the incident, and, where necessary, contact the Police Communications Centre. The Operator will contact the police if they see a criminal act taking place or a person acting in a suspicious manner. The Operator will use the camera equipment to obtain the best possible evidence.

5. Staffing of the CCTV control room

Only CCTV Operators and persons authorised by the Control Room Manager or Supervisor will operate any of the equipment located within the CCTV control room.

Before performing the role of CCTV Operator, personnel will be subjected security vetting. The Data Controller will also be responsible for vetting staff. The Control Room Manager will issue each CCTV Operator with a copy of the code of practice and the procedures manual.

Each CCTV Operator will be expected to comply with the Code and the Manual as far as is always reasonably practical. The Control Room Manager and each CCTV Operator should be given necessary training, including all relevant social and legal issues. CCTV Operators will undertake continuation training as required.

Any breach by a CCTV Operator of the code of practice or the procedures manual, or of any aspect of confidentiality, will be dealt with under the discipline code.

The Control Room Manager will accept

responsibility for ensuring there is no breach of security and CCTV Operators comply with the code of practice and the procedures manual.

6. Control room access and security

For reasons of security and confidentiality access to the control room is restricted. Entry is not allowed without proper and sufficient reason, and it is the responsibility of the Control Room Manager to ensure this is enforced.

The Control Room Manager is responsible for authorising access to the Control Room and this is given in accordance with the code of practice and the operational procedures.

7. Making enquiries or complaints about the system

Any enquiries or complaints should be made via the North Somerset Council Website. Any complaints regarding CCTV will be dealt with in the same way as the council's complaints procedure. Details of the Council's complaints procedure and how to make a complaint can be found on the North Somerset Council Website.

<https://www.n-somerset.gov.uk/council-democracy/complaints-feedback>

If you are still not satisfied with the Data Controller's response you can contact the Information Commissioner's Office.

www.ico.org.uk

or by post at

Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

8. Monitoring and evaluation of the system

The CCTV Manager will carry out regular checks on the document systems to ensure that the procedures manual is being complied with. Any discrepancies shall be reported without delay to the System Manager.

The System Auditor may, at his/her discretion, carry out an audit of the system and its procedures. This should be carried out at least annually.

The System will be independently evaluated annually in accordance with and compliance of the 'Guiding Principles' of the 'Surveillance Camera Code of Practice'.

9. Applying to view/copy media

9.1 Sources of applications

Organisations which may have a valid reason for viewing images and to whom a request to view will normally be granted include:

- Police (which may include British Transport, Ministry of Defence or Military Police)
- Statutory authorities with powers to prosecute (for example, Customs and Excise, Trading Standards, Environmental Health etc)
- Solicitors/legal representatives in criminal or civil proceedings

9.2 Requests to view images under 'Subject Access'

All requests to view or obtain a copy of images can be made online at

<https://www.n-somerset.gov.uk/council-democracy/data-protection-freedom-information/data-protection/make-subject-access-request>

Further details can be found on the Council's website www.n-somerset.gov.uk or by contacting the Information Governance Team. Please note there may be a charge for the production of evidential material.

Tel: **01934 634 609**

Email: foi@n-somerset.gov.uk

Information required must include:

- the time
- the date
- brief description of the the location incident
- the reason to view.

The System Manager may refuse any request where the information provided is insufficient.

There is no charge to produce the data which will be provided in a readable format.

9.3 Responding to requests.

The Control Room Manager will aim to respond to your request within ten working days.

North Somerset Council CCTV System is registered under the Data Protection Act 2018.

Use of the system must also comply with the Human Rights Act 1998 and, therefore, all release of information will be in accordance with this legislation. For security reasons or where details of any other person or vehicle are visible then

viewing will be refused and an edited version of the images may be provided instead.

The Control Room Manager will arrange a convenient time and date for the viewing to take place that will be supervised by the duty operator.

Applicants should be aware that CCTV images are normally only kept for 28 days.

Where images have been seized by the police, because of a criminal investigation proceeding, then applications to view images must be made to the police, normally via the Crown Prosecution Service.

Applications may be refused if such requests interfere with an investigation or are likely to compromise national security.

This publication is available in large print, Braille or audio formats on request.

Help is also available for people who require council information in languages other than English.

For more information call **01934 634 711** or email cctv@n-somerset.gov.uk