



WEST LANCASHIRE CCTV SYSTEM

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WEST LANCASHIRE BOROUGH COUNCIL

CCTV SURVEILLANCE SYSTEM

CODE OF PRACTICE

1.0 INTRODUCTION

- 1.1 West Lancashire Borough Council has installed a comprehensive CCTV Surveillance System. Fibre optic cameras have been installed in the town centre and a number of microwave cameras have been installed across the district. All are monitored at a Central Control Room.
- 1.2 Management responsibility for the monitoring operation of the CCTV scheme is part of the Community Safety Section.
- 1.3 Technical maintenance of the system is carried out by the Regeneration and Estates Division of the Council.
- 1.4 The system is owned and maintained by West Lancashire District Council and the designated service provider on contract to the Council operates the Control Room.
- 1.5 The CCTV Control Room is located at Westec House, Ormskirk, West Lancashire.
- 1.6 The system is monitored 24 hours each day, 7 days per week. Either one or two members of staff depending on operational requirements undertake monitoring.
- 1.7 This Code of Practice, which has been agreed with the Police and the designated service providers, has been prepared for guidance of management and the operators of the system.
- 1.8 This Code of Practice also reflects the requirements of the Data Protection Act 2000 and associated regulations (see Appendix A).

2.0 STATEMENT OF PURPOSE

- 2.1 The CCTV scheme will be operated within applicable law, and only for the purposes of reducing Crime and Disorder for which it is established or purposes which are subsequently agreed in accordance with this Code of Practice.
- 2.2 The scheme will be operated with due regard to the privacy of the individual.
- 2.3 The public interest in the operation of the scheme will be recognised by ensuring the security and integrity of operational procedures.

3.0 **PARTNERSHIP**

3.1 The approved partners in this CCTV scheme are West Lancashire Borough Council and its recognised community safety partners, with operational activity principally undertaken by Lancashire Constabulary.

4.0 **KEY OBJECTIVES**

4.1 The objective of the CCTV scheme is to provide a safe and secure public environment for the benefit of those who live, work, visit, and service and enjoy the facilities of the area. This objective will be carried out by the monitoring of the system, so as to:

- Assist in the detection and prevention of crime.
- Reduce fear of crime in the community
- Facilitate the apprehension and prosecution of offenders in relation to crime and public order.
- Reduce graffiti (particularly offensive graffiti), vandalism and other criminal damage to improve the environment and reduce costs.
- Prevent and respond effectively to harassment, especially racial harassment.
- Assist in traffic management.
- Prevent or mitigate interruptions to traffic flow (not to enforce minor breaches of traffic law).
- To detect, prevent or reduce the incidence of property crime and offences against the person.
- To improve communication and the operational response of police patrols in and around Ormskirk Town Centre and other outlying areas.
- To reduce theft of cars and theft from cars both on street and in monitored town centre car parks, whether owned by the Council or not.
- To improve general security in the main retail streets, both in terms of personal security and security of buildings and premises, and to make the town centre and other environments a more attractive area to shop, visit or work in.
- To reduce the level of street crime, vandalism and public disorder.

- To assist in developing community confidence.

5.0 CONTROL CENTRE SYSTEM MANAGEMENT

5.1 Hours of Operation

- The Control Centre is operational 24 hours, 7 days per week, 365 days per year

5.2 Procedures of CCTV Control Room

5.2.1 All internal and external access points are under constant surveillance.

5.2.2 The Control Room team will confirm the effectiveness of the system at 9.00 a.m. daily. The incident log will be noted. The system will be tested and defects reported or repaired as per agreed contract maintenance arrangements.

5.3 Access

5.3.1 The Control Room door will be secured at all times using the existing keyless access facilities.

5.3.2 All external doors to the Control Room are kept locked at all times. Controllers must satisfy themselves over the identity of any callers and the purpose of the visit before allowing access. Internal CCTV covers the door to the CCTV room. CCTV operators must ensure all visitors complete the visitor's logbook by signing in and out of the Control room and entering the time of entry and departure.

5.3.3 Access to the Control room will be strictly limited to the designated service provider staff and authorised Control Operators, authorised management from the Council, Police Officers and authorised civilians.

5.3.4 Particular arrangements will apply to visitors and contractors as outlined in 5.4 and 5.5 below.

5.3.5 The CCTV Operating Room is a controlled separate work area within the Control Centre Suite. Secondary monitoring will be undertaken within the existing Control Room using a split screen slave monitor. Normal security and access arrangements to the Control Room will apply.

5.4 Visitors

5.4.1 There is a great deal of interest in the CCTV system and it is important that operations are managed with the minimum of disruption. Casual or unplanned visits will not be permitted. Visits are by appointment only.

5.5 **Contractors**

5.5.1 Out of hours and emergency attendances may arise. In these circumstances the Operator must be satisfied as to the identity and purpose of the contractor before allowing entry. Prior telephone or faxed arrangements to seek access will be the normal method of contact and must be followed if time permits.

6.0 **CONTROL ROOM ADMINISTRATION AND PROCEDURES**

6.1 **Control Room Administration**

6.1.1 There must be at least one trained operator present within the Control Room at all times.

6.1.2 The incident log must be maintained through operation. Brief details of incidents should be noted together with the action taken and results. The identity of telephone callers and responders should always be established and noted. Incidents that should be noted will be as per the operational requirements.

- 6.1.3
- (a) A visitor book will be maintained in the Control Room. All authorised visitors and contractors are required to complete the book in the interests of security and Fire and Health and Safety Regulations. The purpose for visiting the control room must be stated in writing.
 - (b) The register for the use and reviewing of hard drive images / discs will be completed on each shift. Continuity must be maintained, especially for evidential purposes.
 - (c) Hard drive images / discs will be reviewed at the request of the Police or Council management at the designated playback suite, not at the operating station.
 - (d) Other administration functions will include maintaining videotapes, Disc's, filing, and retaining photographic files, and maintaining occurrence logs.
 - (e) Control Room staff will link into and when necessary operate the shop-watch radio network and take appropriate action based on information received.

6.2 **Communications**

6.2.1 The CCTV monitoring station is located in the Control Centre Suite in Westec House. Under normal circumstances all communications to Police Officers regarding incidents will be made through Police Communications Officers using agreed protocols.

6.2.2 Emergency procedures will be used in appropriate cases to call Fire Brigade or Ambulance services.

6.2.3 In addition, liaison with other agencies may be necessary and must reflect agreed partnership protocols.

6.3 **Training**

6.3.1 (a) Management will ensure that all staff, including new and relief staff, are fully briefed and trained on all functions, both operational and administrative, relating to the CCTV central operation. Training by camera installers will be provided. All staff that successfully complete an induction must be trained up and certified in accordance the Securities Industries Act 2001.

(b) Any request received from internal Council Departments should be dealt with by the Strategy and Project Development Manager in the first instance. Issues of debate and clarity will be referred to the Assistant Chief Executive.

6.4 **Liaison**

6.4.1 CCTV control adds a new dimension to our existing Community Safety Partnership relationships for improving safety. Regular management meetings will be held between the Council Management, contracted service deliverers for monitoring and maintenance of the system and a representative from Lancashire Constabulary to ensure that appropriate liaison is maintained and problems dealt with or anticipated changes responded to in a positive manner.

6.4.2 CCTV Management meetings will usually take place within a 6-week period.

6.4.3 Changes to policies, procedures and protocols must be agreed and approved under this partnership arrangement requiring the consent of relevant operational partners.

6.5 **Recording**

6.5.1 The Control room system is supported by digital hard drive recording facilities (with video tape as a backup), which will function throughout operations. In addition, an incident recorder is available for instant operation and real time recording.

6.5.3 Images stored on the hard drive can only be retained for a maximum of 31 days from the last date of recording. Images requested for evidential purposes will be saved to a disc.

6.5.4 Storage discs are destroyed by shredding. In the event of images being required for evidence, it will be retained for a period recommended by the

Police and subsequently returned for certified disposal to ensure audit trails are preserved.

7.0 **MONITORING PROCEDURES**

7.1 **Camera Control**

At least one trained operator must be present within the Control Room at all times. Camera surveillance will be maintained throughout.

7.2 The control of the system will remain with the Council unless an incident occurs and the Police request control in order to:

- Assist with the development of resources
- Monitor potential public disorder or other major security or emergency situations
- Assist with the detection of crime
- Facilitate the apprehension and prosecution of offenders in relation to crime and public order
- Prevent or mitigate interruptions to traffic flow (but not to enforce minor breaches of traffic law)
- On each occasion a detailed record of the request for individual camera control must be made in the incident log

7.3 With the exception of the circumstances listed above, the controls must only be operated by authorised trained Control Room staff. Any staff training must be supervised and documented at all times.

7.4 In the case of major incidents, the Police may assist in the managerial control of the Control Room. This will be subject to a formal request being made to the Council's Chief Executive or nominated deputy and approval being given. In these situations the controls will be handled by the duty controllers, or under Police instruction, to maintain maximum efficiency.

7.5 In extreme cases, the Police may require sole occupation of the Control Room. Approval must be requested and received from the Chief Executive or his nominees (to form an Appendix B to this code). The request for approval must be made by the Senior Police Officer and confirmed as soon as possible in writing.

7.6 In the 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 be subject to the arrangements made by

the Police Control Room Supervisor or Duty Officer. Again, the Chief Executive or his nominee must agree authority for Police Liaison presence.

8.0 **CAMERA PATROLS**

8.1 Every camera should have pre-set locations whereby it can see, in general terms, the whole of the area under surveillance. In a scheme such as this it will not always be possible to locate cameras in the 'ideal' position, nor has it been possible to have as many cameras as we would have liked to give total coverage. It is, therefore, necessary to ensure that property camera deployment patrols are carried out at reasonable intervals to ensure broad coverage of the total surveillance area.

8.2 In all cases, the reviewing of images and the use of the hard drive must be carried out under the supervision of the Police Officer in charge of a case or incident or the senior Council Officer in charge or his / her nominated deputy.

8.3 Requests will be received from time to time for images to be reviewed. All requests for an image review must be recorded in the Operator's Log, together with the Operator's response to the request. When a review has been completed, the result of that review should be recorded in an image review log. Brief details of the review could be included in the Operator's Log.

The following information should always be recorded:

- The time the request was made
- The date, time and location of the incident being investigated
- A brief description of the incident being investigated
- Who made the request and copies of any written authorities
- The name and signature of the person making the request or person attending and his authority
- The Operator's response
- The results of the review
- The time the results were passed back to the enquirer

8.4 Whenever possible Operators should always try to meet review requests. Review requests must be reasonable in context to operational conditions and resources.

8.5 It will be a matter for the Operator to exercise some discretion but one of the following options should be taken:

- If time permits the review should be carried out immediately
- If the review cannot be undertaken immediately because the Operator is busy with normal surveillance, the person requesting the review should be advised that the review will take place but it will have to be when time permits as soon as practically possible.
- If an Operator is going to pass on a request for an incident to be reviewed to a later shift, he must note in his log points 1 to 5 and ensure that the next Operator is fully aware of the request and what is required. The next Operator should complete items 6 and 7 in his Log and in the image Review Log.

9.0 **HARD DRIVE / CD PROCEDURES**

9.1 **Control and Distribution of CD's**

9.1.1 It is essential that the following procedures for the use and retention of CD's are strictly adhered to in order to preserve the facility to use them in any future proceedings.

9.1.2 To ensure that CD's can be used in evidence, the following procedures must be followed:

- The Operator should register the identity, date and time of CD insert including CD reference
- If the CD is to be archived the reference must be noted
- The date and time of the ejection of the CD from the recorder must be noted in the log
- The operator must mark the CD for identification purpose using the agreed referencing system
- The CD must be placed in the specified envelope, sealed, witnessed, signed by the Controller and dated.

9.1.3 If handed to the Police or other authorised party the handover must be noted in the log and the details and signature of the recipient obtained. CD's that may be required by the Police are to be retained separately and securely until it is confirmed that they are not required for evidential purposes.

- Where a request is received for a CD written authority will be required from the Divisional Commander or his deputy. This written authority must be filed for future reference. The copying images onto disc will

not be carried out as a matter of course. Where a copy is made the log must be updated with the time, date and name of the operator and the reason for undertaking the action.

9.2 **Release of CD/ Images**

A record is to be maintained of the release of CD's to the Police or to other authorised applicants. A register is to be available for this purpose.

9.3 **Access to CD's/ Images**

9.3.1 Usually the external source of request for CD images will be from the Police. Police requests will arise in a number of ways including:

- (a) Regular/daily requests for a review of recordings in order to trace incidents that have been reported (this may be carried out through a Police Liaison Officer).
- (b) Immediate action relative to 'live' incidents, e.g. immediate pursuit.
- (c) For major incidents that occur when tapes may be recording continuously.
- (d) Individual Police Officer seeking to review of images at the designated viewing desk.

Subject to the approval of the senior Officer in charge, the only internal sources of requests for images are likely to be from:

- (a) Senior management in various Council departments.

9.4 **Photographs**

9.4.1 Photographs must only be used to assist the identification of incidents, during staff training, and for demonstration purposes. Photographic material may only be provided to authorised Officers for specific and relevant purposes as defined in this Code of Practice.

9.4.2 Photographs will be supplied to the Police only upon written authorised request.

9.4.3 A file of duplicate photographs is to be maintained showing appropriate references and relevant authority.

9.5 **CD Storage**

9.5.1 CD's will be stored in lockable fireproof cabinets in a separate secured area with restricted and controlled access.

9.5.2 A log of all CD movements will be maintained.

9.5.3 CD disposal and shredding will be under specific controlled arrangements.

10.0 **WRITTEN REPORTS**

10.1 Operators may be requested to complete a Pro-forma evidence statement for the Police to complete the chain of evidence.

10.2 Only in exceptional circumstances and with agreement from the Contractors management representative will a personal statement be allowed.

11.0 **SAFETY PROCEDURES**

11.1 The Control Centre Suite operates the following fire safety procedures:

- Each Monday morning there is a fire system check
- Any other fire detection activation requires notification of the senior Manager on site or on standby and evacuation and/or if instructed by a senior Fire Officer or Police Officer on site
- All fire activations are answered and activated through the existing Control Centre computer system

11.2 **Personal Safety**

11.2.1 If any operator feels threatened or suspects intrusion from an unauthorised source they are instructed to operate the installed personal attack alarms. These are monitored independently of the Control Centre.

11.3 **Management Support**

The Control Centre Suite has 24-hour management support through nominated Officers either on site or through mobile telephones and paging units.

11.4 **External Telephone Line Availability**

The Control Centre has in addition to the normal DDI lines a number of dedicated external lines along with free-phone and telephone availability.

11.5 **Other Support Arrangements**

The Control Centre Suite has immediate access to a telephone, fax and e-mail service.

12.0 **COMPLAINTS**

12.1 Any complaints in respect of the CCTV operation are to be dealt with under the Council's existing complaints procedures.

13.0 **ACCOUNTABILITY**

13.1 West Lancashire Crime and Disorder Partnership will be informed as to operational aspects.

13.2 West Lancashire Borough Council monitors financial and operational activities.

14.0 **REVIEW OF CODE OF PRACTICE**

14.1 The Code of Practice shall be regularly reviewed to ensure that it still meets requirements. The review by partner agencies should take place at least at annual intervals in the 1st week of April of each year, or on any occasion amendments are deemed to be necessary.

14.2 The copyright on all CD's and recordings rests with West Lancashire Borough Council. The express permission of the Council's Chief Executive or his nominee will be required prior to the release of any material to the media or any third party organisation. Any unauthorised release will be treated as a serious breach of discipline and will result in immediate dismissal.

15.0 **AUDIT**

15.1 An audit of these procedures and associated activities will be undertaken on a random basis.

15.2 Breaches of this code will be investigated by the Council's Audit Section immediately and urgent remedial action taken to resolve matters as appropriate.

16.0 **INDEPENDENT INSPECTION**

16.1 Independent inspection will be carried out by the Home Office.

APPENDIX A

DATA PROTECTION ACT & ASSOCIATED REGULATIONS

The Office of the Data Protection Registrar has provided information in Appendix A.

WHEN DOES THE DATA PROTECTION ACT APPLY TO CCTV?

The position is that, to be covered by the Data Protection Act 2000, the data captured on CCTV systems must be personal data processed automatically by reference to the data subject, within the definition contained in the Data Protection Act. To answer the question of whether a given system fits that definition a number of specific questions must be addressed.

1) Is it data?

Data is defined as

"Information recorded in a form in which it can be processed by equipment operating automatically in response to instructions given for that purpose".

Clearly the recording of images on the medium of videotape is little different to the magnetic media used in conventional computing and it is a form, which can be processed automatically.

2) Is it personal data?

Personal data is described as:

"Data consisting of information which relates to a living individual who can be identified from that information (or from that and other information in the possession of the data users), including any expression of opinion about the individual but not any indication of the intentions of the data user in respect of that individual".

The simple recording of images recorded on the hard drive / CD about unknown individuals may not meet the terms of this definition as it does not relate to living individuals who can be identified from that and other information in the possession of the data user. However, there may well be circumstances where a recorded image is of a known individual who can be identified from that or from that and other information in the possession of the data user. This may well be the case where the image recorded is used in a crime investigation or for evidential purposes purporting to show a known individual committing a particular offence. This would also be the case where the CCTV system is installed by an employer in his or her premises and will capture images of that employer's employees.

- 3) Is the data processed automatically by reference to the data subject?

Processing is defined as:

"Amending, augmenting, deleting or rearranging the data or extracting the information, constituting the data and, in the case of personal data, means performing any of those operation by reference to the data subject".

Information may be extracted about an individual by viewing his/her activities recorded on hard drive / CD. However, it is not just the processing operations themselves that must be automated. The way in which the equipment performs one or more of these operations 'by reference to the data subject' must also be automated. Thus, equipment, which can respond to instructions requiring it to locate and process information about an individual, is capable of processing personal data. The instructions need not necessarily involve the equipment being given a name, account number, or other identifier. The equipment could, for example, be given time or frame reference to a location on the hard drive/ CD at which it is known information about an individual is recorded. If the equipment then moves automatically to this location it will be capable of processing personal data within the terms of the Data Protection Act. If the equipment is not capable of automatically locating particular information stored on the hard drive/ CD, it is unlikely to perform operations that are regulated by the Act.

SUBJECT ACCESS AND PROVISION OF CCTV IMAGES

Section 21 of the Data Protection Act 2000 requires that an individual is entitled to a copy of the information constituting any such data held about him/her. A data user is not obliged to comply with the request unless he/she is supplied with sufficient information as he/she may reasonably require in order to satisfy her/himself as to the identity of the person making the request and to locate the data, which the individual seeks. If he/she cannot comply with this request without disclosing information relating to another individual who can be identified from that information, he/she need not disclose such references unless he/she is satisfied the individual has consented to the disclosure of the information to the individual making the request. This does not excuse a data user from supplying as much information as possible in response to the request without supplying the identifying particulars.

If a subject access request is received together with sufficient details to locate the images in question and substantiate that the images do relate to the individual making the request, then a copy of those images must be provided. These will need to be provided on a CD.

If the images to be provided in response to the request include other identifiable individuals than the person making the request (third parties), the data user is entitled to suppress those features of the images which would lead to that identification, unless consent has been provided by those third parties. A practical way of doing this would be by blurring the relevant part of the images.

The Data Protection Act does not, however, require the withholding of material, which would identify third parties, but merely entitles the data user to do so if he chooses. Nevertheless, it is recommended good practice to do so in order to protect the privacy of those third parties.

APPENDIX B

PROCEDURE FOR SOLE OCCUPATION / MANAGEMENT CONTROL OF THE CONTROL ROOM BY POLICE

- 1.1 In the event that the Police require sole or controlled occupation of the Control Room the request must be made directly to the Council's Chief Executive or his nominee by the most senior Police Officer on the duty shift.
- 1.2 There must be a significantly important reason for this request to be made which must be confirmed in writing as soon as practicable.
- 1.3 The Chief Executive or his nominee will then personally issue instructions to the Control Room staff to advise them of the situation.
- 1.4 A Control Operator for the Council's Community Alarm Service will always be on duty in the Control Room due to the nature of this element of service.
- 1.5 It is not possible to identify all the circumstances in which this request will be made but generally it would fall into the following broad categories:
 - National Security
 - Royal Protection Duties
 - Fire Arms or Suspected Fire Arm Matters
 - Major / Serious Crime
 - Other Declared Major Incidents