

# SAFFRON WALDEN TOWN COUNCIL



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## CCTV Policy and Guidance

## 1. Introduction

Saffron Walden Town Council is committed to respecting people's rights to privacy and supports the individual's entitlement to go about their lawful business. This is a primary consideration in the operation of any CCTV system operated by the Council.

1.1 Saffron Walden Town Council use secure video imaging systems (CCTV) in public spaces and at a number of Saffron Walden Town Council owned and operated sites across the town.

1.2 This document, along with individual systems Codes of Practice, are designed to give clear guidelines on the Saffron Walden Town Council (SWTC) use of CCTV and to protect SWTC from allegations of misuse of the system and to protect staff and the public from any misuse of the CCTV system.

1.3 This policy covers the purchase and use of CCTV equipment and the gathering, storage, use and disposal of visual image data. This policy applies to all staff employed by Saffron Walden Town Council and should be the standard expected.

1.4 This document should be read in conjunction with the CCTV systems Code of Practice and Operational Manual. Failure to comply with these documents could lead to disciplinary action, which may lead to dismissal and in certain circumstances criminal proceedings against the individuals concerned.

## 2. Objectives of Council CCTV systems

2.1 It is important that everyone and especially those charged with operating the CCTV systems on behalf of Saffron Walden Town Council understand exactly why each of the systems has been introduced and what the cameras will and will not be used for.

Each CCTV system will have its own site or task specific objectives. These will include some or all of the following:

- Protecting areas and premises used by staff and the public;
- Deterring, detecting and recording crime and anti-social behaviour;
- Assisting in the identification of offenders leading to their arrest and prosecution or other appropriate action/sanction;
- Reducing violent or aggressive behaviour toward staff and others working or volunteering for the council. Reducing fear of crime, anti-social behaviour and aggression
- Protecting property and assets owned by Saffron Walden Town Council.
- Assisting with staff disciplinary, grievance, formal complaints and Health and Safety Investigations.

2.2 The CCTV systems will not be used for any other purpose than those set out in this document without prior consultation with the Town Clerk and or approval by Council.

2.3 CCTV cameras will not be used to monitor the progress of staff or individuals in the ordinary course of their lawful business in the area under surveillance. Nor are managers permitted to use the cameras to observe staff working practices or time keeping or to assist them in the day-to-day management of their staff without prior approval from the Town Clerk when carried out as part of an investigation.

2.4 Individuals will only be monitored if there is reasonable cause to suspect a criminal offence or serious breach of discipline, potentially amounting to misconduct that has been, or may be, about to be committed and this will only be permitted when authorised by the Town Clerk and may require the use of an additional authorisation(s) from Council. Officers should consult the Town Clerk before any such action is taken.

2.5 The last objective in this list is covered in more detail below.

### 3. Legislation

3.1 In addition to Saffron Walden Town Council policies, procedures, Guidelines and Codes of Practice, CCTV and its operation are subject to legislation under:

- 3.1.1 The Data Protection Act 1998 (DPA).
- 3.1.2 The Human Rights Act 1998 (HRA).
- 3.1.3 The Freedom of Information Act 2000 (FOIA).
- 3.1.4 The Regulation of Investigatory Powers Act 2000 (RIPA).
- 3.1.5 The Protection of Freedoms Act 2012 (PFA)

3.1.6 A brief guide on how the legislation affects CCTV operations and some guidance on how to remain within the respective legislation is attached to The Code of Practice. It will be rare for small building CCTV systems to be required to respond to requests for assistance under RIPA but site managers should seek legal advice from the CCTV RO (see below) whenever it occurs.

3.2 The Saffron Walden Town Council CCTV RO (Responsible Officer) will act as the CCTV Single Point of Contact for the Council.

3.3 The role of the RO includes the following;

3.3.4 Advising the Town Clerk and other site managers and elected members on all CCTV related matters

3.3.5 Giving guidance and advice on the procurement, specification, operation and maintenance of all CCTV systems used by the Council and staff

3.3.6 Maintaining a register of all CCTV systems operated and funded by the council

3.3.7 Maintaining a map showing all cameras for access by the public

3.3.8 Acting as an internal consultant for projects which require the specification of CCTV systems (as charge for this service may be made)



3.4 It is important that the operation of all Saffron Walden Town Council CCTV systems comply with the relevant legislation, policies, procedures, guidelines and Codes of Practice. This is to ensure that staff operating the CCTV systems, the public and Saffron Walden Town Council are protected from abuse of the CCTV systems. The Responsible Officer will be responsible for the review of all CCTV documentation relating to the operation and use of the system annually (or as changes occur) and to ensure the information in those documents is up to date.

## **4. Responsibility**

4.1 The Town Clerk has overall responsibility for CCTV systems used within the Council assisted by the RO. On site supervision rests with the site managers.

4.2 The CCTV RO will be responsible for ensuring that all users are kept up to date on new legislation and changes in procedures and will review the Saffron Walden Town Council Policy and Codes of Practice documents annually, together with maintaining a central database of all documents relating to the Saffron Walden Town Council CCTV systems.

4.3 The Site Managers are responsible for the area within which the CCTV system is installed and are responsible for:

4.3.1 The day-to-day operation of the CCTV system within their site and charge together with the security and accountability of all equipment and media used by their system.

4.3.2 Making sure that only the RO or other authorised staff view images using the CCTV system and that they are properly trained in the use of the equipment and comply with the Code of Practice and policies and procedures. They are not to permit any other staff to operate the equipment or view images without authorisation.

4.3.3 The RO Acts as the first point of contact for enquires, complaints and requests for evidence and as the liaison officer for all external and internal contacts for their CCTV system.

4.3.4 The RO may not hold the position of designated officer or an officer role for safeguarding as set out in the Safeguarding Children and Vulnerable Adults Policy.

4.3.4 Neither the responsible officer nor their staff can instigate a RIPA operation for their own system without first contacting a RIPA Authorised signatory

#### 4.3 CCTV staff operating CCTV systems

431 Staff operating CCTV systems are responsible for operating the equipment in accordance with requirements set out in current legislation, this policy document, guidelines, confidentiality certificates, Codes of Practice and local Operational Manuals.

432 They must ensure that their training is up to date.

433 They are responsible for bringing any faults or misuse of the equipment to the responsible officer's attention immediately for repairs to be arranged.

#### 4.4 No CCTV owned by SWTC is in third party occupied buildings but is in premises used by hirers and visitors.

441 Saffron Walden Town Council has CCTV systems which are located in premises other than those occupied solely by Saffron Walden Town Council staff.

Cameras are also located in public streets and public areas.

In these instances, it is important that there is a clear understanding between Saffron Walden Town Council and hirers and visitors to the properties concerned as to what the CCTV systems may be used for and who is responsible for each aspect of the CCTV system there. All camera sites are signed with full contact details.

## 5. Purchase and deployment of CCTV cameras

It is crucial that serious consideration is given to the necessity for CCTV cameras in any given location, and to assess any impact of them on the privacy of individuals using the areas where cameras are to be installed.

5.1 Cameras are not to be installed in such a way that they can look into private space such as inside private dwellings or gardens.

5.2 SWTC has no Covert cameras

5.3 Cameras and signs should be clearly visible.

5.4 SWTC has no concealed and unsigned cameras.

5.5 Only by approval of the Town Clerk and only on rare very occasions cameras be deployed in areas of high security where there is no legitimate public access and where staff access is controlled and restricted (for example, an IT server room or secure plant room). Staff who normally work in these areas should, where appropriate, be informed of the location of these cameras, their purpose and where the monitor to view the images is kept.

5.6 Saffron Walden Town Council will not use CCTV cameras if there are cheaper, less intrusive and more effective methods of dealing with the stated problem. No individual department or service will be permitted to purchase or install CCTV cameras until a full Operational Assessment and Privacy Impact Assessment have been completed and presented to the Town Clerk and RO for compliance checks and additional input or advice.

- 5.7 Before deciding on CCTV cameras as a solution, the Council will look at less intrusive alternatives.
- 5.8 If after looking at all the alternatives it is decided that CCTV is the only suitable solution, a clear operational objective for the system and each camera must be identified together with an assessment on the impact on privacy must be carried out (examples of the forms to help carry out these tasks are at Annexes 'A' and 'B'). A record of these decisions must be retained for inspection and review every year. A copy of these documents will need to be presented to the Town Clerk before any purchase is agreed upon.
- 5.9 Where CCTV is to be used within a project, a complete breakdown of all on-going revenue/maintenance/replacement costs for the proposed system should be identified and funded prior to any system being installed.
- 5.10 The RO will be available to give advice at each stage of the above process.
- 5.11 Once authorisation is given to procure new or replacement CCTV cameras, advice should be sought from the RFO to ensure that the correct procedures are followed.
- 5.12 It is a requirement under the Information Commissioners Code of Practice and the National CCTV Strategy that any equipment purchased is fit for purpose and will meet the objectives set down for the scheme. There is also a clear requirement for all CCTV schemes to have an effective maintenance schedule and to be operated in accordance with the Code of Practice. Council officer's/staff purchasing new CCTV equipment need to ensure these requirements are fully met. The Town Clerk will be required to approve the procurement of the CCTV system and to advise the RO.
- 5.13 Saffron Walden Town Council does not deploy 'dummy' cameras as they give a false sense of security to the public who may otherwise have avoided an area not under "real" monitoring.
- 5.14 Council Officers are not to purchase cameras that can be used for monitoring audio conversations or be used to talk to individuals as this is seen as an unnecessary invasion of their privacy.
- 5.15 Once any new cameras have been installed, a copy of a map or building plan showing the location of the CCTV cameras should be sent to the Town Clerk for inclusion in the central CCTV document library and online CCTV location map. (see also SWTC website)

## 6.0 Monitoring

6.1 No CCTV visual displays are located in public reception areas. It is the responsibility of the responsible officer to ensure that those observing any visual displays are properly trained in their duties and responsibilities and that the ability to view the display is restricted to only those authorised to see it.

6.2 Monitoring of other cameras where required will only be carried out by persons authorised by the responsible officers

## 7.0 Recorded images reviews and the provision of evidence

7.1 The casual review or trawling of recorded images by anyone is strictly forbidden. Reviews must only be undertaken for a specific, legitimate purpose.

7.2 The provision of evidence or reviews of recorded material will normally be requested either by the police, other enforcement agency conducting an investigation into criminal activities, or potential disciplinary matters, complaints, grievance or health and safety issues.

7.3 Enforcement agencies such as the police have a legal obligation to 'seize' any relevant evidence when investigating a crime and responsible officers must comply with their requests. However, enforcement agencies are bound by the same procedures and policies as everyone else.

74 Enforcement agencies are not permitted to trawl the CCTV system on the off chance of detecting a crime or wrong doing. They are required to provide the responsible officer with a Crime or Incident number or other such proof that they are conducting a legitimate investigation.

75 The release of evidence or permission to view images may only be authorised by the responsible officer or in their absence, the Town Clerk. Where an enforcement agency requests copies of an image or video recording, one copy is to be made but there is no requirement for the responsible officer to retain or produce any further copies.

76 If any matter concerns a member of Saffron Walden Town Council staff, there will be no automatic right to review or the release of images. Reviews will be permitted and images will only be released to a properly authorised investigating officer after they have approval following a formal request to the Town Clerk.

77 The responsible officer will then retain the relevant images on the computer's hard drive (but not copy it to removable disc) and then seek authority to release the images from the Town Clerk before being released to any investigating officer.

7.9 It is appreciated that this process may take a little time and officers should move quickly to complete the process so that the investigation is not unnecessarily delayed. To ensure the images are not lost due to retention time, the investigating officer can formally ask the responsible officer to download and retain the video images until the review/ release of evidence process has been completed.

7.10 Once authorised, arrangements will be made to enable the investigating officer to view the images and if necessary be issued with two copies of recorded material on suitable portable recording media. Note: only the investigating officer is permitted to view the images at this stage.

7.11 The reason for the second disc is that if it is decided to use CCTV images in an employment related hearing, the person being investigated must be given a copy of the images under evidence disclosure to permit them and their representatives to mount a defense. At the end of the hearing ALL copies of the images are to be collected by the Town Clerk and held on file and destroyed once the appeals process and any Employment Tribunal processes have been completed.

7.12 Staff who are subject to disciplinary, complaints or grievance procedures have the right to request that images be retained if they believe it will support their defence. The process will be exactly the same as that shown above for the investigating officer.

7.13 Saffron Walden Town Council will not permit reviews or release video images to people being investigated by an enforcement agency or in an internal investigation, which may be handed over to an external agency such as the police.

The responsibility for investigating and disclosing images to those involved in the investigation are covered by the Police and Criminal Evidence Act (PACE) and the Evidence and Disclosure Act and the prosecuting authorities are required to follow the procedures set out in these acts. It should be noted that other enforcement agencies will operate under other legislation but the use of and disclosure of the evidence rests with them.

7.14 It is critical that a full and detailed record is kept of all recorded image reviews of the systems and all instances when video images are given to another person or agency. This information must include: (see Appendix F)

- Date, time, camera number and location of the incident.
- The name of the authorising officer,
- The date time, name and contact details of the person review or removing images.
- The reason for the review/ issue of images and
- The person who released and the received the images signatures.
- Any media containing images should be uniquely marked and the number recorded for ease of identification.

## **8.0 Insurance claims**

8.1 CCTV involvement in insurance claims falls into two categories. Firstly, incidents, which may result in claims against Saffron Walden Town Council and secondly claims involving third parties, normally road traffic collisions.

8.2 CCTV cameras may be able to assist in events that could result in a claim against Saffron Walden Town Council. When a report is received which may result in a claim, the officer responsible for dealing with the incident should consider whether CCTV covers the area. If so, they should then ask the CCTV systems' responsible officer to hold images for that period but this must be done within 28 days from the date of the incident. The officer dealing with the incident should then follow the procedures for review and obtaining evidence, which is set out in section 7 above.

8.3 If evidence is issued to the officer dealing with the incident, they become responsible for the security, safety and integrity of the images.

All recorded media must be stored in a secure place with access limited only to those people involved in the subsequent claim. At the end of the waiting period or after any claim has been dealt with this officer will be responsible for the destruction of the recorded media by shredding and a record in the form of a signed memo to that effect will be kept for a period of 12 months.

8.4 Requests for assistance from CCTV cameras in third party claims are increasing especially with regard to road traffic collisions. Often it is the person involved in the accident who will contact CCTV and ask either if we have any images or if they can come and have a look. Requests of this kind should normally be refused. Instead, members of the public should be advised to contact their insurance company and ask them to write to the responsible officer formally, giving as much detail about the incident as possible and requesting assistance.

It is also important that it is stressed to the person requesting the information that the letter is received before the automatic overwrite/ delete period on the recorder (normally 28 to 30 days). No other action should be taken at this stage.

8.5 If the letter arrives within the recording period, the responsible officer should view the images. If the incident was not caught on camera the insurers or solicitor can be called and informed and the case can be closed. If the letter arrives after the recording period, there will be no relevant images and again the person requesting the images should be informed.

8.6 If relevant images are found on the video image recorder, the insurance company / solicitor should be informed and asked if they want a copy. If they do, then they need to be informed that there will be a fee of £175 + VAT (at the current rate). This fee is based on the amount of time spent by staff to review extracted the images, to copy them and for any other processing of the images together with the administration, completion of appropriate documentation, cost of media, disk labelling etc. and is based on the hourly salary rate rounded up to the nearest hour. It should also include post and packaging. This should then be sent as an invoice to the recipient. No charges will be raised against internal requests for assistance.

8.7 The images may then be copied and sent to the relevant person accompanied by two copies of a letter reminding them that Saffron Walden Town Council retains 'copyright' over the images, that they are responsible for the security and destruction of the images and that the images may not be used for any other purpose other than the one they were released for.

The details of the media released should be included (i.e. media number) in the letter and they should be asked to sign one copy of the letter confirming they have received the images and accepting the conditions of release. A detailed record of all actions must be maintained. Failure to comply with the conditions of release may result in legal action being taken against the person who signed the acceptance letter.

## **9.0 Signage**

- 9.1 All areas where CCTV are in use should be clearly signed to comply with the Data Protection Act. This is to warn people that they are about to enter an area monitored by CCTV cameras or to remind them that they are still in an area covered by CCTV. The signs will also act as an additional deterrent. CCTV signs should not be displayed in areas which do not have CCTV cameras.
- 9.2 No 'covert' cameras have been authorised for deployment,
- 9.3 The sign carries the CCTV camera and organisation's logo. The information on the sign should explain why the CCTV cameras are there, who operates them and a contact number to obtain information. The signs, position and the message needs to be big enough to enable people to easily read the information on it. For pedestrians the sign should be A4 size and for vehicle access A3 size

## **10.0 Third party access requests**

- 10.1 Under the Data Protection Act and the Freedom of Information Act members of the public and other organisations have the right to ask to see data held by local authorities and other public bodies. This data includes visual images captured by CCTV.
- 10.2 As a general principle access to this

data should not be refused. However, there are certain circumstances when it will not be possible to provide images from CCTV – for example, when the images form part of a criminal investigation. In all instances where access requests are received, they should be passed onto Saffron Walden Town Council data access request officer (who has responsibility for dealing with access requests) for action, before CCTV images are released.

## **11.0 CCTV image recording systems**

- 11.1 All staff required to operate CCTV equipment are to receive training in the use of the equipment and must conform to this policy document and their system Code of Practice at all times. Staff who operate the video image recorders will be required to sign a 'confidentiality statement', which prohibits them from making any material available for purposes other than those stated in the Code of Practice. Any other staff having access to the equipment will also sign a confidentiality statement. Once signed, the confidentiality statement (see Appendix G) should be placed in the person's personal file.
- 11.2 Except for evidential purposes, images will not be extracted or copied in whole or in part by any means (including using a mobile phone to take a screenshot) printed onto paper/emailed etc.

- 11.3 Recorded material will not be sold or used for commercial purposes or for the purposes of entertainment. Images provided to the Police or other enforcement agencies or for internal investigations shall at no time be used for anything other than the purposes for which they were originally released.
- 11.4 Recording equipment and recording media will be kept in a secure location and no access will be granted to unauthorised staff.
- 11.5 All images will remain the property and copyright of Saffron Walden Town Council.
- 11.6 Each new recording media must be clearly marked with a unique reference number in indelible ink before it is brought into operation.
- 11.7 Each use of media will be noted in the CCTV Register. Unused media or media awaiting issue will be held in a secure cabinet in such a way that completeness of the archive is immediately apparent. The CCTV register will be stored in a secure place.
- 11.8 All CD and DVD media will be disposed of securely when no longer required (normally by shredding).
- 11.9 All recording protocols should be an 'open' type protocol. This enables the police and other agencies to view evidence on their own systems without having to preload operating software. This is important because most police computers are unable to download software from external sources, which means they will be unable to use the CCTV images for their investigations.

## **12.0 Disciplinary offences and security**

- 12.1 Tampering with or misuse of cameras, monitoring or recording equipment, documents or recorded data by staff may be regarded as misconduct and could lead to disciplinary action, which may result in dismissal or criminal prosecution.
- 12.2 Any breach of this policy document or the CCTV Code of Practice will be regarded as a serious matter. Staff who are in breach of this instruction may be subject to action under the Saffron Walden Town Council disciplinary procedures.
- 12.3 The responsibility for guaranteeing the security and proper use of the system will rest with the responsible officer of the system concerned. These officers will, in the first instance, investigate all breaches or allegations of breaches of security or misuse and will report his/her findings their head of service and director.

## **13.0 Statistics**

- 13.1 CCTV statistics are required to show how effective the cameras are in dealing with the objectives set out for them.
- 13.2 Responsible officers will be required to submit an annual set of statistics showing the effectiveness of their systems to the Town Clerk or inclusion into the overall CCTV report. The statistics will cover the previous financial year (1 April-31 March) and should include the following:
  - 13.2.1 Name of the responsible person and job title
  - 13.2.2 Location of system (building and address)
  - 13.2.3 Contact number of responsible person

- 13.2.3.1 Number and details of installed system and cameras
- 13.2.3.2 Number of recorded incidents in the past year
- 13.2.3.3 Number of CCTV evidence reviews
- 13.2.3.4 Number of evidence seizures (passed to police or other agency)
- 13.2.3.5 Number of authorised RIPA operations
- 13.2.3.6 Date of last maintenance and functional check
- 13.2.3.7 Any changes to the system

## **14.0 Inspections/visits**

- 14.1 All CCTV systems may be subject to inspections or visits by a member of the Information Commissioner's Office or the Regulation of Investigatory Powers Commissioner. In addition, systems may also be subject to visits/ inspections by members of the organisation and the RO.
- 14.2 These visits/ inspections are designed purely to ensure that the systems are being operated and maintained in accordance with current legislation, this policy and their own CCTV Codes of Practice and to offer advice for improvement where required.

## **15.0 Health and safety**

- 15.1 The responsible officer is to ensure that staff are made aware of and comply with all Saffron Walden Town Council policies on health and safety. In particular they are to be aware of policies relating to working with electrical equipment, VDU Regulations.

## **16.0 Complaints**

- 16.1 Complaints about the operation of a CCTV system should be addressed initially to the responsible officer. All complaints will be dealt with in accordance with Saffron Walden Town Council corporate complaints procedure.

## **17.0 Further advice/information**

- 17.1 Further advice on CCTV related matters may be obtained from the individuals and organisations shown below (add names, telephone numbers and email addresses below each name):
  - 17.1.1 General advice from their ownline managers
  - 17.1.2 Advice on CCTV issues from the RO
  - 17.1.3 Legal Advice and RIPA from the RO
  - 17.1.4 Advice on issues affecting staff from the Town Clerk
  - 17.1.5 Third Party Access Requests from the Data Access Officer
  - 17.1.6 Health and Safety advice from the Town Clerk.
  - 17.1.7 Technical advice and training on individual systems from Systems Installer and the CCTV RO.

## Appendices:

- A. Surveillance Camera Comm.
- B. Self-Assessment Tool
- C. Privacy Impact Assessment Form
- D. An example CCTV sign
- E. CCTV – The Guiding Principles
- F. Letter of Understanding
- G. CCTV Review and Disclosure Form (see 7.14)
- H. Confidentiality Statement

## Appendix A

### Operational Requirements Review

CCTV System: \_\_\_\_\_ Responsible Officer: \_\_\_\_\_

Item	Operational Requirements	Requirements Are Met / Comments
01	What was the original reason for installing a CCTV system? Is it still relevant?	
02	What are the current CCTV system's Objectives?	
03	Are the camera locations suitable for the task and do light levels or environmental issues such as tree growth affect them? (see attached Sheet)	
04	Can the cameras produce good quality images on an 'open protocol' which can be used in court and is the monitor of a high enough quality to view images?	
05	Are the cameras secure and protected from vandalism?	
06	Is the recording equipment and media in a secure area? Is access to this equipment and CCTV images restricted?	
07	Is the recording equipment of good quality and a storage capacity to ensure images are not corrupted and can be stored for a specified period of time?	
08	Are there regular function checks to ensure all equipment is operating and recording correctly and that all images are stamped with the correct date / time?	
09	Is there a comprehensive maintenance and cleaning regime in place?	
10	Do you have appropriate and sufficient signage in place to warn people that CCTV is in use?	
11	Is your Code of Practice on display so that members of staff and the public can read it?	
12	Are audits carried out regularly to ensure the security of all equipment and media and is a record of the audits kept for inspection? Are all media movements, reviews and evidence issues recorded?	

To be completed annually.

Name of Inspecting Officer: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

(Location): \_\_\_\_\_



## Appendix B

Dated June 2022

### CCTV Privacy Impact Assessment Form

This form evaluates the impact of CCTV on people's privacy and should be used to assess whether CCTV is justified and how it should be operated in practice. Once completed it should be reviewed annually.

Item	Issues to be considered	Results of assessment
01	Who will be using CCTV Images? Who will be legally responsible under the DPA?	Essex Police
02	Why do you need CCTV? What problems it is meant to address? What other solutions to the problems were investigated and why have they been rejected?	Refer to Self-Assessment Tool (SAT)
03	What are benefits to be gained by using CCTV?	Crime Prevention and Detection/Protection of Assets
04	Can CCTV realistically deliver these benefits?	Yes – refer to SAT
05	Do you need to identify individuals or can you use a scheme not capable of identifying individuals?	Individuals are not identified
06	Can the system deliver the benefits now and in the future?	Yes, we believe so
07	What future demands will arise for wider use of the images and how will you cope?	None anticipated
08	What are the views of those who will be under surveillance?	Surveillance not in operation
09	How can you minimise intrusion of those who may monitored if specific concerns have been raised.	Blackouts are installed on cameras
10	Is the system established on a proper legal basis and operated within the law: DPA, HRA, RIPA and FOIA?	Yes
11	Is the system necessary to address a pressing need, such as public safety, crime prevention, ASB or national security? If so, what is the pressing need?	Refer to SAT
12	Is the system justified in the circumstances?	Yes
13	Is it proportionate to the problem it is designed to deal with?	Yes
14	How has the capital and revenue cost been resolved?	Core element of SWTC budget

Over All Comments on Assessment:

Location of Scheme: \_\_\_\_\_

Name of Officer completing form: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix C

The CCTV sign used by Saffron Walden Town Council



## Annex D: Surveillance Camera Code of Practice 2013

### The 12 Guiding Principles

System operators should adopt the following 12 guiding principles. The following are the results of an assessment of the Saffron Walden Town Council CCTV System

1. Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.

This principle is met by installing CCTV cameras only when:

- a. Evidence of crime and disorder exists and when supported by police and/or those in a crime reduction role such as Community Safety and Support officers tasked with the aim of reducing crime
  - b. For a specific purpose to address a specific need (and when discussed at Managers meeting prior to being installed) and regularly reviewed (every two weeks)
  - c. When prominent signage is installed showing who to contact to discuss the camera installation
  - d. a process is in place allowing the public to access any captured images
  - e. Reporting updates to police partners in review meetings and to the public via public meetings or in private where appropriate
  - f. Removing the camera when a review concludes that is appropriate or when the stated aim has been achieved
- 2 The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.

1. This is met by:
  - a. Always taking people's privacy into account when deciding on a suitable location for a redeployable or permanent camera system
  - b. Advising those living or working immediately beside the camera why it is being installed and how they can contact the camera operator
  - c. Reviewing the use or continued use every two weeks
  - d. Survey questions

Public Survey – results show a support level of 88% for CCTV within the community

3. There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.
  1. This is met by publishing a telephone contact number on every camera site
  2. Information about the service and how to contact the RO is available on the SWTC website
  3. By using the Town Councils Complaints process when addressing issues raised in connection with the operation of CCTV within the community
4. There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.

This is met by:

- a. Publishing the name of the person responsible for the CCTV system
- b. Having a system in place whereby the public can easily request access to the recorded images

c. Having a council-wide policy for the use of CCTV systems.

5. Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.

This could be met by:

- a. All staff undergoing 2 weeks initial training and then a residential BTeC qualification
- b. All staff being police vetted
- c. All staff having been cleared using enhanced DBS checks

6. No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.

This is met by,

- a. not storing any more images or other information than required for the stated purpose
- b. All such information is deleted automatically after 28 days unless requested by police in pursuance of an offence

7. Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.

This is met by,

- a. Access to the Control Centre is highly restricted,
- b. is under CCTV surveillance and

an electronic access control system is in place

c. all computer systems are password protected

- 8. Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
- 9. Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.  
This is met by,
  - a. Access to the Control Centre is highly restricted,
  - b. is under CCTV surveillance and
  - c. an electronic access control system is in place
  - d. All computer systems are password protected
  - e. The server room is always locked .
- 10. There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.

11. When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.
  - a) This is being met fully. Our incident recording data and our police commendations for staff proactive and reactive activity is testament to the effective operation of the system.
12. Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.
  - a) This requirement is being met by updating our licensed taxi database from the licensing authority and blue light services fleet management team to update our registered vehicle database for access to the High Street via the ANPR controlled bollard.

## Appendix E: Sample Letter of Understanding

A Letter of Understanding or Memorandum of Understanding is a statement by an affected party accepting that the CCTV Policy has been understood and will be complied with by a Council section, partner or other associated agency.

CCTV - Letter of Understanding

The sharing and exchange of CCTV images in Saffron Walden Town Council and all council owned property.

### 1 Parties

This Memorandum of Understanding is made between all SBC Responsible Officers for CCTV systems.

### 2 Objective

The Responsible Officers wish to share and exchange recorded images from their respective close circuit television systems ("CCTV") for the purposes of prevention and detection of crime and disorder and to reduce the number of victims.

### 3 Understanding

This Memorandum of Understanding outlines how the Responsible Officers are collectively seeking to achieve the desired Objective.

The Responsible Officers undertake as follows:

3.1 Each Responsible Officer shall comply fully with the provisions of:

- Data Protection Act 1998
- Human Rights Act 1998
- Regulation of Investigatory Powers Act 2000
- Crime and Disorder Act 1998
- The Saffron Walden Town Council CCTV Policy

- 32 The Responsible Officers recording CCTV images will remain the Data Controller (as defined in the Data Protection Act 1998) and will hold a notification with the Office of the Information Commissioner.
- 33 Responsible Officer(s) receiving CCTV images will be the Data Processor (as defined in the Data Protection Act 1998).
- 34 Master recordings will remain in the possession of the Data Controller, unless handed to the Police or other agency.
- 35 Responsible Officers will provide the Police or other agency with master recordings in respect of which they are Data Controllers if requested by the Police or other agency to do so in the event of evidence being required in connection with any criminal investigation or court proceedings in accordance with their respective codes of practice.
- 36 Digital Evidence Movement Registers will be maintained separately at each Responsible Officers location (CCTV system) and will detail full records of viewings and other relevant information including the seizure of evidence by Police or other agency.
- 37 Police or other agency or its other authorised persons or body will be allowed to view images at the nearest CCTV centre. Responsible Officers will provide working copies of evidence in respect of which they are Data Controllers if requested to do so by the Police or other agency.

- 38 Each CCTV Responsible Officer will assume responsibility for liaison with the other Responsible Officers, the Police and other agencies.
- 39 All Responsible Officers shall disclose CCTV images to each other for the purpose of meeting the desired Objective.

of each Responsible Officer.

3.10 Each Responsible Officer shall:

- Not record the CCTV images it has obtained from another Responsible Officers without first obtaining written approval from the Responsible Officer who is the Data Controller in relation to those images.
- Not disclose or provide copies of the CCTV images it has obtained from another Responsible Officer to a third Responsible Officer /party who is not a Responsible Officer without first obtaining written approval from the Responsible Officer who is the Data Controller in relation to those CCTV images.
- Take reasonable precautions to preserve the integrity and prevent any corruption or loss of the CCTV images in its possession.
- Erase all CCTV images when requested to do so by the Responsible Officer who is the Data Controller in respect of those images.

4 Commencement

This Memorandum of Understanding shall commence on the date when it was duly signed by the respective Responsible Officer.

5 Changes to the Memorandum of Understanding

All additions, amendments and variations to this Memorandum of Understanding shall be binding only if in writing and signed by a duly authorised representative

6 Counterparts

This Memorandum of Understanding may be executed in one or more counterparts each signed by one or more of the Responsible Officers and such counterparts shall together constitute one document.

Signed for and on behalf of:

1 Responsible Officers:  
(enter CCTV system location name here)

Signature:

.....

Name of Signatory (Responsible Officer):

.....

Office Held:

.....

Date:

.....



Use continuation sheet if required

Action After Review	
Date:	
Comments:	
Name of Operator reviewing hard drive	
Signature of Operator:	

Information Required Upon Reporting Results to Interested Party		
Council Officer (Name)	Police Officer (Name)	Member of Public (Name)

CCTV Operators Name:	
Date:	Time:

Disks Recorded	No	DVD ID				
Recorded & Held	Yes					

Any Stills Made?	Yes/No	If Yes, How Many?
------------------	--------	-------------------

Supervisor Quality Check:	Signed:	Dated:
Comments:		

## Appendix G: Confidentiality Statement (amend as appropriate)

Department:  
Contact Name:  
Contact No:  
Fax:  
Email:  
Our Ref:  
Your Ref:

[insert today's date here]

### CONFIDENTIAL - ADDRESSEE ONLY - by hand

#### Confidentiality Agreement

Welcome to the CCTV control. [enter your location here] Please read and sign the Confidentiality agreement below.

During the period of your time with us you will very likely have access to confidential information about the Council, CCTV operations, It is a requirement of your visit to this area that you do not disclose this information to any third party unless authorised to do so by the Town Clerk, or are required to do so under any statute, enactment or court direction.

This restriction will continue to apply after the end of your visit without limitation in time but shall cease to apply to any information or knowledge that subsequently comes into the public domain, other than as a result of unauthorised disclosure by you.

Your signature: \_\_\_\_\_

Print your name: \_\_\_\_\_

Today's date: \_\_\_\_\_

Yours sincerely,  
Town Clerk



## CCTV Policy and Guidance