

Code of Practice

Bridlington Closed Circuit Television Scheme

2011

1. Scheme Objectives

These remain as the original scheme objectives:

- a) Detect, prevent or reduce incidents of property crime and offences against the person.
- b) Reduce the theft of cars and theft from cars
- c) Improve the general security in the main retail area
- d) Reduce the level of street crime and public disorder
- e) Reduce vandalism and other associated criminal damage which will thereby improve the environment of Bridlington

2. Purpose of Scheme

The purpose of this CCTV system is to monitor public places within Bridlington in order to provide assistance with the following:-

- a) the prevention and detection of crime and provision of court/tribunal evidence
- b) the maintenance of public order
- c) the reduction of nuisance and vandalism
- d) the enhancement of a sense of safety by the public and reduction in the fear of crime by both public and visitors to the town
- e) the identification of traffic problems
- f) the provision of appropriate information for town centre management
- g) the provision of evidence for proceedings
- h) to increase confidence in the town centre and foreshores areas and Havenfield area
- i) promote a feeling of well being to residents and those who work or visit the town

These objectives may be reviewed to reflect local concerns.

3. General Principles

The Bridlington CCTV scheme shall be operated with respect for all individuals, recognising the right to be free from inhuman and degrading treatment and avoiding discrimination on any ground such as sex, race, colour, language, religion, political or other opinion.

The Council recognises that it has a responsibility to ensure that the scheme should always comply with all relevant legislation, primarily but not exclusively the Data Protection Act 1998, Regulation of Investigatory Powers Act 2000 and Human Rights Act 1998, to ensure its legality and legitimacy. The scheme will only be used as a proportional response to identified problems and be used only in so far as it is necessary in a democratic society, for the prevention and detection of crime and disorder, for the protection of health and morals or for the protection of the rights and freedoms of others.

The Code of Practice and the observance of the Operational Procedures shall ensure that evidence is secured, retained and made available as required so that there is absolute respect for everyone's right to a free trial.

The scheme will be operated with due regard to a general right to respect for his or her private and family life in their home.

The public interest in the operation of the scheme will be safeguarded by ensuring the security and integrity of operational procedures.

4. Exclusion

The CCTV scheme is not expected to be used in respect of minor traffic offences (parking etc).

5. Provision of Evidence

The provision of recordings/photographs for evidential purposes would apply to the police, and other appropriate statutory organisations e.g. customs and excise, local authority.

Appropriate training will be required for the Council staff who operate the scheme to ensure that relevant legislation concerning evidence, will be complied with.

6. Procedural Manual

A detailed Operating Manual giving clear instructions on all aspects of the operation for the scheme will be distributed, communicated and signed by all Council CCTV operatives. Operating procedures will be reviewed and amended from time to time as legislative and operational changes dictate.

7. Data Protection

The operation of the scheme has been notified to the Office of the Information Commissioner in accordance with the Data Protection legislation.

All data will be processed in accordance with the principles of the Data Protection Act 1998 which are, in summarised form:

- All personal data will be processed fairly and lawfully
- Personal data will be obtained only for the purposes specified
- Personal data held will be adequate, relevant and not excessive in relation to the purpose for which the data is processed
- 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 personal data, in accordance with Data Protection Act 1998.
- Procedures will be implemented to ensure security measure to prevent unauthorised or accidental access to, alteration, disclosure, or loss and destruction or, information
- Information shall not be transferred outside the European Economic Area unless rights of individuals are protected

The principles of the Data Protection Action 1998 shall be followed in respect of every request. Individuals whose image is captured as part of the general CCTV surveillance are not entitled to make an access request.

In considering a request made under the provisions of Section 7 of the Data Protection Act 1998, reference may also be made to Section 29 of the Act which includes but is not limited to, the following:

Personal data processed for any of the following purposes:-

- The prevention or detection of crime
- The apprehension or prosecution of offenders

are exempt from the subject access provisions in any case to the extent to which the application of those provisions to the data would likely to prejudice the matters referred to above.

8. Amendments To This Code

The Code of Practice for the Bridlington CCTV scheme will be reviewed every 2 years or when a change in legislation is applicable. Any changes to the Code of Practice will be agreed and signed off by the Director of Environment and Neighbourhood Services.

Streetscene Services on a day to day basis, will be responsible for the implementation of the Code and operational procedures.

9. Management of the System

The system will be managed by the Councils Head of Streetscene Services. The Bridlington CCTV scheme forms part of a network of community safety measures including pub watch and shop watch schemes run by the Bridlington Licensed Victuallers to Visitors Association and the Bridlington Chamber of Trade. Clear communication links are established with these organisations.

10. Not used

11. Installation

New installations and changes to existing cameras must support the objectives of this Code of Practice.

12. Accountability

Copies of the Code of Practice will be made available to the public via the East Riding of Yorkshire Council's Website. A clear log of any complaints received concerning the system will be kept and reviewed regularly by Streetscene Services.

13. Public Information

No cameras as part of the CCTV Bridlington scheme will be hidden and appropriate signs will be displayed publicly to indicate that CCTV cameras are operating in the area. Full details of the owners/managers of the scheme and contact points will be included.

14. Human Resources

Every person involved in the management and operation of the scheme will be personally issued with a copy of this Code of Practice. They will be required to sign confirming that they fully understand their obligations to adhere to these documents and that any breach is likely to be considered a disciplinary offence. They will be fully conversant with the contents of this Code and appropriate procedures, which may be updated from time to time and with which he/she will be expected to comply.

Arrangements may be made for the police liaison officer to be present in the Control Room at certain times. Any such person must be conversant and comply with this Code of Practice and associated procedures.

15. Complaints

The Council has a formal procedure for dealing with complaints which will be applied to any complaints received in respect of the Bridlington CCTV scheme. Complaint forms are available from all local authority establishments, and are registered and responded to within 10 working days. This system is externally monitored to ensure all officers of the Council deal with complaints in line with the agreed procedure. Any breaches of the Code of Practice will be dealt with through the Councils Disciplinary Procedure.

16. Control and Operation of Cameras

Control Centre operators will not be permitted to use the CCTV system until they have received suitable basic training and are familiar with this Code of Practice and the relevant operational manuals.

Only staff with direct responsibility for the use and management of the equipment will have access to the Control Room. The use of cameras will accord with the stated purpose and objectives of the scheme and all staff will be appropriately supervised and their activities audited.

Current best practice guidelines will be used in respect of training control room operators. Regular reviews of effectiveness of the scheme and individual operators will be undertaken as part of Streetscene Services service reviews.

17 Access to Control Room Facility

For reasons of security and confidentiality, access to the CCTV Control Room is restricted in accordance with this Code of Practice.

Only authorised individuals will have access to the Control Room and monitoring facility. Access will be controlled and recorded. The Control Room Facility will be secured 24 hours a day. There is to be no public access to the Control Room Facility and all visitors must sign the Visitor Log Form and must agree with the confidentiality rules for CCTV and comply with the Data Protection Act.

A log of all incidents observed from the Control Room including visitors and telephone calls will be made.

The Councils Health and Safety Procedures and Policies will be complied with at all times in the Control Room.

18 Tapes and Digital Recorded Material

For the purpose of this Code of Practice 'recorded material' means any material recorded by, or as the result of, technical equipment which forms part of the scheme, but specifically includes images recorded digitally, or on videotape or by way of video copying, including video prints. Every video or digital recording obtained by using the scheme has the potential of containing material that may need to be admitted in evidence at some point during the period of its retention.

Members of the community must have total confidence that information recorded about their ordinary every day activities by virtue of the scheme will be treated with due regard to their individual right to respect for their private and family life.

It is therefore of the utmost importance that irrespective of the means or format of the images obtained from the scheme, they are treated strictly in accordance with this Code of Practice from the moment they are received by the monitoring room until final destruction. Every movement and usage will be meticulously recorded.

Access to and the use of recorded material will be strictly for the purposes defined in this Code of Practice only.

Recorded material will not be copied, sold or otherwise released for any use incompatible with this Code of Practice.

In complying with the national standard for the release of data to third parties, it is intended, as far as reasonably practicable, to safeguard the individuals rights to privacy. Recorded material shall be processed lawfully and fairly and used only for the purposes defined in this Code of Practice. The ownership of any recorded material and copyrights will be the responsibility of the Council.

Recorded material will be retained for one calendar month. Before reuse or destruction, recorded material will be erased in full accordance with the manufacturer's requirements, wherever possible. Digital recording will be set to overwrite automatically. At the conclusion of their life recorded material used within the CCTV scheme will be destroyed.

Each discrete item of recorded material will be registered and monitored from the time it is produced until it is destroyed whilst it is within the Control Room. If recorded material is released in accordance with this Code of Practice, a record must be kept which identifies the basis for that release, and to whom. Records will be retained for at least three years.

Prints, subject to Data Protection, will be treated in the same way as other recorded information identified above. They will not be released outside the Control Room except as permitted by this code, and any release will be recorded. Where prints, which contain personal data, are taken for use within the Control Room they should not be kept for longer than can be reasonably justified, and should be regularly reviewed. Prints that are no longer required should be securely destroyed. At no point will any still photographs be on display in the Control Room.

19 Dealing with Incidents

An agreed procedure has been established with Humberside Police (Protocol of Operation) in terms of method of communication and responses to incidents observed in the Control Room.

It is not intended that the Bridlington CCTV scheme will be accessible from outside of the Control Room facility. A single recording of activity will be taken by the Control Room facility and be appropriately logged and stored.

20 Legislation

Section 163 of the Criminal Justice and Public Order Act 1994 creates the power for local authorities to provide CCV coverage of any land within their area for the purposes of crime prevention or victim welfare.

The scheme will be operated in accordance with all the requirements and principles of the Human Rights Act 1998.

The operation of the scheme will also recognise the need for formal authorisation of surveillance as required by the Regulation of Investigatory Powers Act 2000.

The scheme will be operated in accordance with the Data Protection Act 1998 and Freedom of Information Act 2000 at all times.