



# Closed Circuit Television Code of Practice

Author	Jim Guiton		
Responsible officer	Ben Hosier		
Date of publication	December 2021	Date of last version	November 2021
Version no.	3	Date of expiry	Interim Document – for review

**Code of Practice for the operation of CCTV  
Dacorum Borough Council**

**Code of Practice in Respect of**

**The Operation of CCTV for Dacorum Borough Council**

**The Dacorum Borough Council CCTV System**

***Certificate of Agreement***

*The content of this Code of Practice are hereby approved in respect of the Dacorum Borough Council Closed Circuit Television System and, as far as reasonably practicable, will be complied with at all times by all who are involved in the management and operation of the named System.*

**Signed for and on behalf of** Dacorum Borough Council

Signature \_\_\_\_\_ Name \_\_\_\_\_

Position held \_\_\_\_\_ Dated the \_\_\_\_ day of \_\_\_\_\_

<b>Contents</b>	<b>Page</b>
Certificate of Agreement	2
Definitions	5
<b>1. Introduction</b>	<b>6</b>
1.1 What is the Code of Practice?	
1.2 Why DBC uses CCTV	6
1.3 The Dacorum Public Space CCTV System	6
1.4 Other CCTV operated by Dacorum Borough Council	7
1.5 Who is involved?	7
1.6 Applying the Code of Practice	8
<b>2. Purposes of CCTV</b>	<b>8</b>
<b>3. General Operating Principles</b>	<b>9</b>
<b>4. Data Protection information</b>	<b>10</b>
<b>4. Protection of Freedoms Act information</b>	<b>11</b>
<b>6. Staffing of the Community Control Centre (CCC)</b>	<b>11</b>
6.1 General	11
6.2 Private Security Industry Act 2001 and SIA	11
6.3 Staff vetting	11
6.4 Staff training	11
6.5 Discipline	11
<b>7. Access to and Security of CCTV - CCC</b>	<b>12</b>
7.1 Authorised access	12
7.2 Public access	12
7.3 Security	12
<b>8. Access to and Security of CCTV – Other Dacorum Borough Council sites</b>	<b>12</b>
8.1 Authorised access	12
8.2 Public access	12
8.3 Security	12

<b>9. Operation and Management of CCTV by DBC</b>	<b>13</b>
9.1 General	13
9.2 Signs	13
9.3 Camera positions	13
9.4 CCTV Monitoring – CCC	14
9.5 CCTV Monitoring – Other Dacorum Borough Council sites	14
9.6 Transmission, recording and storing of CCTV images	14
9.7 Automatic Number Plate Recognition (ANPR)	15
9.8 Body Worn Video (BWV)	15
9.9 Audio Recording	16
9.10 Audit trail (Record keeping)	16
9.11 Maintenance of CCTV	17
<b>10. Viewing and Disclosure of CCTV Recordings</b>	<b>17</b>
10.1 General	17
10.2 Main request for viewing and disclosure	18
10.3 Public requests for disclosure (Subject Access)	18
10.4 Freedom of Information Act 2000	19
10.5 Requests for disclosure by the media	19
<b>11. Evaluation of DBC CCTV Systems</b>	<b>20</b>
11.1 The Dacorum Public Space CCTV System	20
11.2 Other Dacorum Borough Council CCTV Systems	20
11.3 General evaluation issues	20
<b>12. Making Enquiries or Complaints about CCTV</b>	<b>21</b>
<b>Appendices</b>	<b>22</b>
<b>Appendix A Key Personnel – Roles and Responsibilities</b>	<b>22</b>
<b>Appendix B Dacorum PSS CCTV Camera locations</b>	<b>25</b>
<b>Appendix C Dacorum Data Access Request Form</b>	<b>26</b>

## Abbreviations and Definitions

### Dacorum Borough Council (DBC)

**Community Control Centre (CCC):** The CCTV Community Control Centre, under the control of Dacorum Borough Council (DBC).

**CCTV Operator:** The person responsible for watching, controlling equipment and recording the images produced by DBC CCTV cameras linked to the CCC and performing all CCC duties

**CCTV/CCC Team Leader:** The person employed by DBC to manage the CCTV Service and to oversee the operators to provide CCC services.

**CCTV Systems Manager:** DBC Group Manager, Commissioning, Procurement & Compliance

**Police Control Room (PCR):** Hertfordshire Constabulary Force Command and Control facility, Welwyn Garden City

**British Security Industry Association (BSIA):** The security industry body that accredits security companies where compliance with ISO 9002 Quality Standards is mandatory.

## 1. Introduction

### 1.1 What is the Code of Practice? (Referred to as ‘the Code’)

This Code of Practice explains the principles, purposes, operation and management of CCTV by Dacorum Borough Council. It seeks to provide accountability and reassurance to the public that all those connected with CCTV will comply with the law and ensure the right to privacy is not breached. The Code will also outline how CCTV is operated and managed and how the public may access recorded information or make complaints.

### 1.2 Why DBC uses Closed Circuit Television

The use of CCTV is a necessary and proportionate way of helping with a wide range of issues that affect the public in public places and buildings for which Dacorum Borough Council has a responsibility. DBC also values the use of CCTV to protect its staff where appropriate. The Council has taken into account the nature of the problems to be addressed, and has implemented CCTV only in those areas where its use is justifiable and where it can provide an effective solution.. The council will regularly evaluate whether it is necessary and proportionate to continue using it.

The CCTV service is established and operated on a legal basis and is supported by:

- The General Data Protection Regulation (GDPR) / The Data Protection Act (DPA) 2018
- The Human Rights Act (HRA) 1998
- Protection of Freedoms Act (PoFA) 2012
- Freedom of Information Act (FOIA) 2000
- The Crime and Disorder Act (CDA) 1998
- Other relevant legislation according to specific use of CCTV in special circumstances

We recognise public support for CCTV is still popular. To keep the respect and support of the general public, CCTV must be used fairly, legally and with the utmost integrity at all times. CCTV operations must stand up to scrutiny and be accountable to the communities and people they are aiming to protect.

### 1.3 The Dacorum Public Space CCTV System

The Dacorum Public Space Surveillance (PSS) CCTV System consists of 226 cameras installed at various strategic locations throughout the Hemel Hempstead, Tring and Berkhamstead Town Centres including streets, parks, Neighbourhood Centre’s (Local Estate Shopping Areas) public places and car parks. It includes the following areas of surveillance: -

- Grove Hill Neighbourhood Centre
- Adeyfield Neighbourhood Centre
- Bellgate Neighbourhood Centre
- The Heights Neighbourhood Centre

- Bennetts End Neighbourhood Centre
- The Denes Neighbourhood Centre
- Leverstock Green Neighbourhood Centre
- Chaulden Neighbourhood Centre
- Warners End Neighbourhood Centre
- Gadebridge Neighbourhood Centre
- Swallowfields Neighbourhood Centre
- Hemel Hempstead Town Centre
- Gadebridge Park
- Bunkers Park Cemetary
- The Old Town Hemel Hempstead
- Berkhamsted Town Centre
- Tring Town Centre

The full list of camera locations is shown at **Appendix B**.

The cameras offer full colour, pan, tilt and zoom (PTZ) capability, some of which may be automatically switched to compensate for low light conditions. DBC has the capability to redeploy some of their CCTV cameras in order to respond to changing trends and justified community needs.

Images from these PSS cameras are sent to the Community Control Centre (CCC) in Hemel Hempstead where they are monitored and recorded. The CCC is staffed by operators employed by the council who have undergone suitable, accredited training.

There is a dedicated CCTV link to the Hertfordshire Constabulary Control Room in Welwyn Garden City where live pictures and events can be monitored.

All CCTV material controlled and recorded by the CCC remains the property of Dacorum Borough Council.

## **1.4 Other CCTV Systems operated by Dacorum Borough Council**

Dacorum Borough Council is also responsible for CCTV systems installed and operated at other locations throughout the Borough:

- Cupid Green Waste Transfer Station
- Tringford Depot Refuse Freighter Storage Facility
- The Forum
- The Old Town Hall
- The Elm's Homeless Hostel
- Woodwells Caravan Storage Park
- The Bury
- Maylands Business Centre
- The Dacorum Sports Centre
- Berkhamsted Civic Centre
- The XC Centre

- Berkhamsted Cemetery
- Chaulden Adventure Playground

Dacorum Borough Council also deploys a further 265 cameras in CCTV systems throughout its housing schemes within the communal areas, these include:

- The Heights Flats Highfield
- Leverstock Green Flats
- Bennetts Gate Flats Bennetts End
- Bellgate Flats Highfield
- Betty Patterson House
- Eastwick Row Flats
- Magenta Court
- Christopher Court
- Holly Tree Court
- North End Flats Highfield
- School End Crescent
- Berkhamsted Cemetery
- Gilbert Burnett House
- Saturn Way Flats
- The Chilterns Berkhamsted
- Able House
- Barleycroft
- Compass Point
- Cranford House
- Douglas Gardens/Lagley House Berkhamsted
- Dudley House Bovingdon
- Emma Rothschild Court Tring
- Florence Longman House
- Leys Road Flats
- Oak lawn
- Pelham Court Flats
- Pond Close Tring
- Two Beeches
- Victoria Hall Tring
- William Crook House
- Woolmer Drive



## 1.5 Who is involved?

Dacorum Borough Council work closely with the following stakeholders to deliver CCTV services:

- Hertfordshire Constabulary
- The Dacorum Community Safety Partnership
- Council departments

From time-to-time other local stakeholders may be involved in developing the future use of CCTV. Details of roles and responsibilities for key personnel responsible for DBC CCTV are shown in **Appendix A** to this Code.

## 1.6 Applying the Code of Practice

The Code will underpin day-to-day practice by all those operating CCTV. It will be supported by specific operational procedures for the CCC. Everyone connected with CCTV operated by Dacorum Borough Council will ensure that the principles and purposes outlined in this Code are upheld at all times.

A copy of the Code will be available on the Council's web site [www.dacorum.gov.uk](http://www.dacorum.gov.uk)

## 2. Purposes of CCTV

Dacorum Borough Council operates CCTV for the following reasons:

1. To help prevent, detect and reduce crime, disorder and anti-social behaviour including drug and alcohol related violent crime
2. To reduce public apprehension about crime, anti-social behaviour and aggression and to provide reassurance for all those that live, work, trade and visit Dacorum, thereby enhancing community safety and boosting the economy
3. To assist statutory agencies (police, council etc.) to deploy their resources effectively
4. To assist in the management of the public areas covered by CCTV and support Dacorum Borough Council's civil enforcement and regulatory functions.
5. To monitor traffic flow and assist in traffic management issues
6. Identify, apprehend and prosecute offenders in relation to crime, criminal damage, public order, road traffic accidents involving serious injury and all forms of harassment cases
7. To assist in civil emergencies and countering terrorism
8. To assist the emergency services in all aspects as appropriate, including major exercises relating to criminal activities and public safety

9. Provide the Police, the DBC, and other authorised organisations with evidence upon which to take criminal and civil actions in the Courts including identifying witnesses
10. Promote the objectives of Hertfordshire Constabulary and the DBC
11. Assist in the enforcement of licencing and regulatory functions of the DBC
12. To assist in the training of CCTV operators, the police and others involved in the use and operation of the CCTV system
13. In appropriate circumstances, assisting the investigation of damage only accidents in DBC owned or other privately operated surveilled car parks on the payment of an appropriate fee

The Council's Chief Executive, or the Community Safety Partnership, after consultation, may draw up specific objectives based on local concerns. These will be documented, made available as necessary and reviewed periodically.

### **3. General Operating Principles**

1. Dacorum Borough Council supports an individual's right to privacy and expects this to be a paramount consideration for all persons involved with CCTV operated by DBC. Evidence will be kept securely and made available subject to clause 9.6 to ensure everyone's right to a fair trial in the event of any court proceedings or tribunal.
2. CCTV operations will comply with the general data protection regulations at all times and follow the Information Commissioner's Code of Practice for surveillance systems. CCTV will be operated fairly, within the law, and only for the stated purposes. Throughout this Code it is intended, as far as possible, to offer a balance between the purposes of CCTV and the need to safeguard the individual's right to privacy.
3. Occasionally CCTV may be required to assist with 'covert' operations by specific public bodies (e.g. police, councils, HMRC etc.). On every occasion proper authority will be obtained and comply with the Regulation of Investigatory Powers Act 2000 (RIPA) and guidance from the Office of Surveillance Commissioners (OSC). When undertaken by the Council, any covert surveillance authorised under RIPA will meet the required 'crime threshold' and be further authorised by a Magistrates' Court.
4. The decision to install CCTV systems, or continued use of them will be supported by Operational Requirement and Privacy Impact Assessment documentation to justify its use. This process will be regularly reviewed. Installation and use of CCTV should be undertaken in consultation with the public, community organisations, council staff, the Police and the Crown Prosecution Service where appropriate. 'Privacy zones' may be technically applied to ensure privacy is protected in specific areas. CCTV will only be used where it is reasonable, necessary and proportionate.
5. Dacorum Borough Council will set performance criteria for the quality of recorded images prior to the installation of CCTV under their control and will insist that these standards are maintained. Any CCTV system connected to the DBC CCC will meet strict technical criteria.

6. Use of CCTV by any DBC department, individual or stakeholder will fully comply with this Code of Practice.
7. Any major changes to the Code will only take place after consultation with all interested parties in the operation of the specific CCTV system. Minor changes may be agreed between the persons nominated in **Appendix A**.

#### 4. General Data Protection Regulation information

The Data Controller for CCTV systems operated by Dacorum Borough Council is its Chief Executive. Day-to-day responsibility for CCTV data is with the Assistant Director of Legal Governance management (Corporate and Contracted Services) or a nominated individual on their behalf. This will be further delegated to the responsible person on duty at the specific site covered by CCTV or at the CCC; normally the CCC Team Leader.

Operation of CCTV by DBC has been notified to the Office of the Information Commissioner. Notification is an annual process to register an individual organisations data processing, including CCTV. The DPA Register is published on the Commissioner's website [www.ico.gov.uk](http://www.ico.gov.uk).

All data will be processed in accordance with the principles of the General Data Protection Regulations which are published on the Commissioner's website [www.ico.gov.uk](http://www.ico.gov.uk).

All CCTV operators will use every effort to promptly report faults in accordance with maintenance agreements to ensure CCTV equipment is maintained 'fit for purpose' as required by Data Protection Act 1998.

Surveillance systems operated by DBC will be compliant with the Information Commissioner's Surveillance Systems Code of Practice at all times The full ICO Surveillance Systems' Code can be obtained from the website [www.ico.gov.uk](http://www.ico.gov.uk).

#### 5. Protection of Freedoms Act 2012 information

The Protection of Freedoms Act 2012 became effective in May 2012. This requires the Secretary of State to prepare a CCTV code of practice and appoint a Surveillance Camera Commissioner. The parliamentary CCTV Code became effective in August 2013. It contains 12 principles for CCTV and Dacorum Borough Council has a duty to have regard to this CCTV code. The Council will always ensure cameras are installed and used:

- For a legitimate aim
- To meet a pressing need
- Proportionately and Effectively
- In Compliance with legal obligations

A failure by any person to act in accordance with any provision of the parliamentary code does not of itself make that person liable to criminal or civil proceedings. The code is admissible in evidence in criminal or

---

civil proceedings. A court may take into account a failure by a relevant authority to have regard to the code in determining a question in any such proceedings.

Visit: <https://www.gov.uk/government/organisations/surveillance-camera-commissioner>

### **6. Staffing of the Community Control Centre (CCC)**

#### **6.1 General**

Dacorum Borough Council provides 'in-house' staff to provide monitoring services. The CCC will only be staffed by trained operators in accordance with DBC policy and operational procedures.

All staff will be fully conversant with this Code and their operational procedures which they will be expected to comply with as far as reasonably practicable at all times.

DBC intends to develop its CCC service and generate income by offering the monitoring service to local businesses and other third parties. Income will offset costs and contribute to DBC financial efficiencies.

#### **6.2 Private Security Industry Act 2001 and the Security Industry Authority (SIA)**

Under the provisions of the Private Security Industry Act 2001 it is a criminal offence for staff to be 'contracted' as public space surveillance (CCTV) operators in England, Wales and Scotland without an SIA licence. The Security Industry Authority is the organisation responsible for regulating the private security industry. For more information visit: [www.sia.homeoffice.gov.uk](http://www.sia.homeoffice.gov.uk)

Any contracted staff operating in the CCC will be in possession of an SIA CCTV Licence in compliance with this legislation.

#### **6.3 Staff Vetting**

It will be a condition of employment that all staff being selected for a role in the CCC satisfactorily complete locally agreed vetting procedures and those defined by the SIA for a CCTV Licence.

#### **6.4 Staff Training**

Every member of staff directly connected to the operation of CCTV or with responsibility for the CCC will be trained appropriately for their role. As a minimum the SIA CCTV Licence demands a structured training programme that results in a recognised qualification. The Information Commissioner's Surveillance Code requires all staff to be trained in their responsibilities for data management.

#### **6.5 Discipline**

Every individual with any responsibility for CCTV under the terms of this Code or related procedures will be subject to this Council's disciplinary procedures should there be any breach of the Code or of any aspect of confidentiality. A breach of the Code may also result in criminal proceedings.

## **7. Access to and Security of CCTV - Community Control Centre**

### **7.1 Authorised Access**

Access is restricted to ensure security and confidentiality of the information inside the CCC. Entry will not be allowed without sufficient reason and in accordance with clause 2.

Regardless of anyone's status, all access to the CCC will be recorded in a Visitors Log. All visitors will be reminded of the need for confidentiality by displayed notices and a clause in the Visitors Log. Operational staff will ensure only authorised access and an accurate visitors log is maintained and enforced.

Operational staff, approved by the DBC CCTV System Manager, who frequently go into the CCC as part of their daily duties are exempt from signing the Visitor Log providing they have signed a Declaration of Confidentiality. This will be managed by the CCTV Team Leader.

### **7.2 Public Access**

In the interest of openness and accountability, anyone wishing to visit may be permitted to do so, subject to the approval of the DBC CCTV Team Leader. Operators must always be aware of public visits in advance and the visits may be ended for operational reasons at the discretion of the CCTV Operator. All public visits will be conducted and recorded in accordance with agreed operational procedures.

### **7.3 Security**

Access control measures will be used to ensure security and confidentiality of the CCC.

Authorised personnel will be present at all times when the equipment is in use. If the CCC is left unattended for any reason it will be secured. In the event of evacuation for safety or security reasons, the agreed operational procedures will be complied with.

## **8. Access to and Security of CCTV – Other DBC sites**

### **8.1 Authorised Access**

Access to any CCTV monitoring or recording equipment on other DBC sites is restricted to ensure security and confidentiality of the information processed. Only nominated key staff will be allowed to access equipment and recordings for proper reasons and must only be for the stated purposes of CCTV.

Access control measures will be used to ensure security and confidentiality where necessary. There will not be any public access to equipment or recordings at these sites. Individual access to 'personal data' is not affected by this clause.

## **9. Operation and Management of CCTV by DBC**

### **9.1 General**

All the equipment associated with either the main public-space CCTV system (PSS) or the other CCTV systems operated by DBC departments, (regardless of whether it is connected to the CCC), will only be operated by nominated personnel who have been properly trained in its use and local operating procedures.

All staff responsible for any DBC CCTV system will be careful about exercising personal prejudices, which may lead to complaints about CCTV being used for purposes for which it is not intended. Staff may be required to justify their monitoring, recording or disclosing of images of any persons, activity or property at any time.

## 9.2 Signs

Signs will be placed in the areas covered by cameras to make the public aware of CCTV surveillance. The signs will indicate:

- The presence of CCTV monitoring (typically using a graphic of a CCTV camera)
- The 'ownership' of the System (unless it's obvious; i.e. Town Hall etc.)
- A contact telephone number for further information

## 9.3 Camera positions

If CCTV is the most appropriate means of addressing a pressing need, cameras will be sited in positions to meet that need after preparing an operational requirement document and privacy impact assessment. CCTV must be justified, meet the purpose for which it was installed and recordings must be of an appropriate quality.

Cameras will be restricted to ensure they do not view areas that are not of interest and are not intended to be seen; e.g. an individual's private property. Electronic 'privacy zones' may be used to ensure that the interior of any private property cannot be viewed.

As far as is reasonable, all cameras will be sited in positions that minimise risk to tampering, damage or destruction.

## 9.4 CCTV Monitoring – CCC

The CCC is permanently staffed (24 hours / 365 days a year) by SIA accredited and trained operators to provide fully specified CCC services. The operator's main role is to continuously monitor, identify and respond to incidents. The cameras will only be used for the purposes stated. The operators may be required to justify their monitoring or recording of any persons, activity or property at any time.

From time to time arrangements may be made for council or police staff to be present in the Control Room to support CCTV operations. This will always be in accordance with this Code and agreed operational procedures.

There is a dedicated CCTV link to the Police Control Room (PCR) in Welwyn Garden City where incidents and events can be viewed. This secure link can only be activated from the CCC for appropriate purposes and in accordance with agreed operational procedures.

General surveillance will remain the responsibility of CCC operations. Protection of the public will always remain the top priority at all times.

The CCTV/CCC Team Leader will undertake day-to-day management, co-ordination and overseeing of CCC operations.

## 9.5 CCTV Monitoring – Other DBC sites

At some DBC sites where CCTV is installed, monitors are installed to provide staff with the opportunity to watch 'live' images when necessary. Monitoring is not a prime function at these sites.

## 9.6 Transmission, Recording and Storing CCTV Images

CCTV cameras transmit images to the CCC or direct to a local on-site recording device using a variety of methods. These include cables, wireless signals and computer networks. Security of transmission remains paramount. Transmission will either be owned by the Council or provided under contract by an industry supplier.

DBC uses Network and Digital Video Recorders (N/DVR's) to record the images from all cameras throughout every 24-hour period. The N/DVR's are either housed securely in the CCC or secure locations at specific DBC sites. Recorded images are retained on the N/DVR's for no longer than 31 days. Retention periods may vary dependant on site-specific issues but will not exceed this limit at any site to ensure compliance with the Data Protection Act.

After retention the recorded images are erased using an automatic digital process called 'overwriting'. This meets the requirements of not keeping data for longer than necessary; a principle of data protection.

All recordings stored at CCC can be replayed on the dedicated computer workstations and in a secure area. Only authorised staff can download copies of recorded images when required for proper purposes. These images will then be kept for longer in accordance with the rules of evidence.

At any other DBC site, any recording, viewing and exporting of images will only be undertaken by trained and authorised staff; the public must have total confidence that information recorded about them by CCTV will be treated with integrity, security and respect for their privacy.

## 9.7 ANPR

Automatic Number Plate Recognition (ANPR) uses specific cameras set to capture a vehicle as it passes an ANPR camera. Its registration number is read and instantly checked against a database of vehicle records. Police are the primary users of this technology, although DBC uses one ANPR camera to manage the access of vehicles on a 'white list' to pedestrian shopping areas.

ANPR by the police is used to help detect, deter and disrupt criminality at a local, force, regional and national level, including tackling travelling criminals. ANPR provides lines of enquiry and evidence in the investigation of crime and is used by law enforcement agencies throughout the UK. Many commercial and retail sites now use ANPR cameras to aid vehicle management.

## 9.8 Body Worn Video (BWV)

BWV involves the use cameras that are worn by a person and are usually attached to their clothing or uniform. These devices can often record both visual and audio information. They are increasingly used by law enforcement agencies, but their reducing cost means other groups are able to purchase and use such equipment. Currently DBC does not operate body worn video.

BWV systems are likely to be more intrusive than the more 'normal' CCTV surveillance systems because of its mobility. Therefore before each use of BWV, The Dacorum Borough Council will:

- Justify its use and consider whether or not it is proportionate, necessary and addresses a pressing need
- Have the ability to switch BWV on and off as necessary as it is important to know when and when not to record. Continuous recording will require strong justification as it is likely to be excessive and cause a great deal of collateral intrusion
- Carefully consider the need for audio as well as visual recording as the presence of audio recording adds to the privacy intrusion. (See 9.9 below)
- Comply fully the BWV guidance in the ICO Code for Surveillance Systems

### **9.9 Audio Recording**

DBC considers the use of audio recording, particularly where it is continuous, to be more privacy intrusive than purely visual recording. Its use will therefore require much greater justification. DBC will only use audio recording where:

- A pressing need is identified
- Other less intrusive methods have been explored, and...
- These will not appropriately address the need and the only way is through the use of audio recording
- Appropriate privacy by design methods have been incorporated into the system

**If DBC decides to use audio recordings in specific circumstances they will ensure:**

- A thorough privacy impact assessment will be carried out
- The system provides a high enough quality of recording to achieve the stated aim
- The most privacy friendly approach is used; where video and audio recording can be controlled and turned on and off independently of each other. These two types of data processing should be considered as separate data streams and should be controlled separately to ensure irrelevant or excessive data is not obtained and held
- Consultation with staff in advance; where recording conversations between staff and particular individuals is needed for a reliable record of what was said and might be used as evidence in an investigation or audio recording is triggered due to a specific threat
- It is made clear to data subjects that audio recording is taking place, over and above any visual recording which is already occurring



### 9.10 Audit Trail (Record keeping)

Records will be kept, either paper-based or electronically on a computer, of all relevant activity associated with the operation and management of any DBC CCTV or surveillance system. This will typically include but is not limited to:

- Access and Visitors – name, times in/out and reasons for visit
- Actions taken by the staff and incidents reported to or seen by them
- Review and disclosure of CCTV images
- Fault reporting and rectification and the regular maintenance programme

Every CCTV recording or operational record has the potential of being required as evidence at some point. This means any material produced by DBC staff (permanent or contract), or produced by CCTV equipment including recordings, any copies and paper or electronic records.

All record keeping will be carried out in accordance with local operating procedures.

At the CCC, the CCTV management software will enable authorised staff to examine the use of CCTV and records created, in order to compile reports.

### 9.11 Maintenance of CCTV

To ensure compliance with legislation and national Codes of Practice, DBC will ensure all their CCTV systems are appropriately maintained in accordance with operational procedures and maintenance agreements.

Maintenance agreements will make provision for regular / periodic service checks on the equipment which will include cleaning of all-weather domes or housings, checks on the functioning of the equipment and any minor adjustments that need to be made to the equipment settings to maintain picture quality. Agreements will also include regular periodic overhaul of all the equipment and replacement of equipment, which is reaching the end of its serviceable life.

The maintenance agreement will also provide for 'emergency' attendance by a specialist CCTV engineer to rectify any loss or severe degradation of image or camera control.

DBC and the maintenance contractor will keep appropriate records.

## 10. Viewing and Disclosure of CCTV Recordings

### 10.1 General

Viewing and disclosure of recorded images from any DBC CCTV System must be controlled and consistent with the purposes of CCTV. Safeguarding an individual's rights to privacy will always remain a priority.

CCTV information will not be copied, sold, disclosed or used for commercial or entertainment purposes. Occasionally recordings may be used for the following:

- Training and demonstration purposes but the material will be selected by the CCTV/CCC Team Leader in consultation with the Police and its use will be strictly controlled
- For the purpose of research:
  - To assist in the general planning and management of the areas of CCTV coverage
  - To assist in identification and compiling of information relating to public safety
  - To assist in the efficient management of services in the areas of CCTV coverage

Written authorisation from the CCTV/CCC Team Leader will be required before access for research purposes. The copying of material or its removal from the Community Control Centre for research purposes will only be permitted under exceptional circumstances and shall be fully documented.

All requests for viewing and disclosure of any DBC CCTV information will be in accordance with operational procedures, which contain detailed national standards. Key aspects are covered from 10.2 below. For recordings held at the CCC, the management of requests will be the responsibility of the CCTV Team Leader although in day-to-day practice disclosure is usually carried out by CCTV Operators. At stand-alone DBC CCTV sites, requests for viewing and disclosure of CCTV images will be the responsibility of a nominated individual in consultation with the DBC CCTV/CCC Team Leader.

Generally copyright and ownership of all CCTV information will remain with the DBC Data Controller. Once CCTV images have been disclosed to another body (such as the police), then **they** become the Data Controller for their copy of the images. It is their responsibility to comply with the General Data Protection Regulations in relation to any further disclosures.

### 10.2 Main Requests for Viewing and Disclosure

Requests for viewing and disclosure of CCTV information will normally be granted to organisations that show valid reasons, which meet the stated purposes of CCTV. These are mainly (but not limited to) the following organisations:

- All UK police staff, (including Ministry of Defence and Military Police)
- Statutory authorities with powers to prosecute, (e.g. H.M. Revenue and Customs, councils, Trading Standards, Environmental Health, etc.)
- Solicitors or their legal representatives in criminal or civil proceedings; (such a request may incur a fee)
- Individuals representing themselves in judicial proceedings
- Other agencies (e.g. Insurance companies) according to purpose and legal status. Some requests may be treated as a DPA Subject Access Request if an individual has authorised an SAR submission on their behalf

All requests will be supported by a written record in accordance with operational procedures; a copy of the DBC CCTV Data Access Request Form is shown at **Appendix C**, which will be completed and approved in all cases. Viewing and disclosure of information will not be unduly obstructed however, CCC operators

may refuse requests to provide CCTV footage if insufficient information or an invalid reasons has been provided.

### **10.3 Requests for Disclosure by Members of the Public (Subject Access)**

Individuals recorded by CCTV have a right to view images relevant to them; ('personal information') and unless agreed otherwise, be provided with a copy of the images. Requests by members of the public for CCTV images are limited to 'personal information' as required by the General Data Protection Regulations. These are called 'Subject Access' Requests (SAR). Third-party information (e.g. another's identity or vehicle registration number) will not be disclosed through such requests.

A SAR must be made in written form to DBC; in the first instance to the CCTV/CCC Team Leader. The applicant must satisfactorily prove their identity and provide sufficient information to enable the data to be located. The first response to a request will normally be given within 7 working days of receipt. The requested information will be provided within 1 calendar month of receipt if the recording is still held.

Judgements about disclosure will be made by those responsible for operating CCTV. If third-party information is also shown with the images of the applicant, consideration will be given to obscuring the images. This ensures unfair intrusion into the privacy of the third party, or causing unwarranted harm or distress is prevented.

Requests for personal information will not be granted in circumstances that involve the prevention or detection of crime and the apprehension or prosecution of offenders where disclosure may prejudice proceedings. Other disclosure rules may apply.

### **10.4 Freedom of Information Act 2000**

The Freedom of Information Act (FOIA) gives the public a general right of access to official information held by most public authorities (police or councils, etc.). It also applies to companies, which are wholly owned by public authorities. Typically it applies to information around decisions, statistics, spending money and effectiveness. Requests may be by letter or email. The public authority must state whether it holds the information and normally supply it within 20 working days in the format requested.

When responding to requests, there are procedural requirements set out in the Act, which an authority must follow. There are also valid reasons for withholding information, which are known as exemptions from the right to know. FOIA exemptions apply to disclosure of CCTV images:

- If the images are those of the FOIA applicant - the information will be treated as a Subject Access Request as explained at 10.3 of this Code
- If the images are of other people/vehicles etc., these can only be provided if disclosing the particular information does not breach the data protection principles

In practical terms, if individuals are capable of being identified from the relevant CCTV images, then it is personal information about the individual concerned. It is unlikely that this information can be disclosed in response to an FOIA request. The applicant could potentially use the images for any purpose and the individual concerned is unlikely to expect this and it is likely to be unfair processing breaching the Data Protection Act (DPA).

This guidance is not exhaustive and full information on FOIA issues can be found at the ICO website:  
[www.ico.gov.uk](http://www.ico.gov.uk)

## 10.5 Requests for Disclosure by the Media

Requests for CCTV images from the media will always be considered if they meet the stated purposes of the CCTV or it is in the public interest for the images to be disclosed. The disclosure will include a signed release document that clearly sets out what the data will be used for, the limits on its use and retention of editorial control by Dacorum Borough Council.

Hertfordshire Constabulary will be permitted to release recorded material to the media in connection with an investigation or detection of a crime without prior approval of DBC. Material should relate to specific incidents and only be released in accordance with the National Police Chief's Council media guidance and Hertfordshire Constabulary procedures. Strict copyright conditions that do not allow it to be used for entertainment or any other purposes will apply.

The CCTV/CCC Team Leader should be advised of the release of the recorded material to the media. Every effort should be made to give the notification prior to its release.

## 11. Evaluation of DBC CCTV Systems

### 11.1 The Dacorum Public Space CCTV System

The CCTV Lead Officer at the CCC will be responsible for carrying out regular checks on CCTV and operational systems to ensure that the procedures are being followed. Any discrepancies will be reported without delay to the CCTV/CCC Team Leader.

The DBC Assistant Director of Legal Governance management (Corporate and Contracted Services) or nominated person will be responsible for receiving regular and frequent reports on the operation of CCTV. The Council may nominate a person and/or committee with a specific responsibility for receiving and considering those reports.

A range of performance indicators for monitoring and evaluating effectiveness of public space CCTV will be used:

- Contribution to public reassurance (public safety and quality of life issues)
- Original reason for the camera being installed; changes to purpose / environment
- Community and Police crime data; offence types, incidents, associated arrests and local intelligence
- CCTV Control Centre incident logs and performance indicator information
- CCTV Council Control Centre operator capacity
- Age and Annual cost of the camera, (connection/power and repair costs)

This approach includes the wider issues for justifying continued of CCTV.

The System will be audited in accordance with the policy of the Council. From time-to-time the System will be independently evaluated to assess the overall performance of CCTV. Statistical and other relevant information, including any complaints made, will be included in the DBC PSS CCTV Annual Report.

## 11.2 Other DBC CCTV Systems

All Dacorum Borough Council CCTV systems will be reviewed on a frequent basis; at least annually, to ensure compliance with national Codes of Practice, the General Data Protection Regulations and to validate their need and continued use. A nominated person at each site will be responsible for carrying out regular checks on CCTV. The DBC Assistant Director of Legal Governance management (Corporate and Contracted Services) or nominated person will be responsible for receiving the reports.

## 11.3 General evaluation issues

The use of DBC CCTV should be evidenced-based. Cameras should be reviewed annually using evidence available to Dacorum Borough Council and its CCTV stakeholders. Where evidence can be found to show that a CCTV camera location continues to be justified under the Code of Practice for CCTV the camera should remain.

Where evidence, gathered over a 12-month period, cannot be found to show that a CCTV camera location continues to be justified the camera should be:

- (i) Removed and placed at another location known to have a pressing need or be experiencing serious, frequent anti-social / criminal behaviour which can be shown to be negatively impacting on the wider community and which continues despite actions by Dacorum Community Safety Partnership agencies to reduce/resolve the problem, (or)
- (ii) Removed with the camera placed in storage or dismantled for spare parts and the camera site decommissioned (where no pressing need, current crime or disorder issues have been identified justifying the installation of a camera or where insufficient funding is available to relocate the camera)

The results of any aspect of evaluation will be used to review and develop alterations to the purposes for CCTV, as well as the management and operation of CCTV systems.

## 12 New CCTV installations and equipment

From time to time services in DBC will request that CCTV be installed or areas will be identified that may benefit from CCTV. It is essential in these instances that the CCTV /CCC Team Leader is the lead in this process to ensure there is compliance to the Code of Practice and legislation.

All requests for new or additional CCTV installation should be made to the CCTV Team Leader and have followed due process and they will be considered by a Community Safety Partnership panel. They will then be considered with the evidence provided to ensure they meet the requirements of the code and are compatible with DBC systems.

### 13. Making Enquiries or Complaints about CCTV

A member of the public wishing to make enquires or a complaint about any aspect of DBC CCTV System may do so by contacting the DBC CCTV/CCC Team Leader.

All complaints will be treated seriously. They will be dealt with in the same way as the discipline and complaints procedures, which apply, to all members of the Council and Hertfordshire Constabulary staff. Copies are available from the respective organisations.

The DBC CCTV/CCC Team Leader will ensure that every complaint is acknowledged in writing, which will include advice about the procedure to be undertaken. Details of all complaints and the outcome will be included in the regular reports supplied to the DBC Assistant Director of Legal Governance management (Corporate and Contracted Services) and included in the Council's annual report.

If the outcome from a complaint about how the CCTV system operates or how images (data) were handled is thought to be unsatisfactory, the Office of the Information Commissioner can be approached to investigate independently. Individuals have additional rights under GDPR to prevent processing likely to cause substantial and unwarranted damage or distress and to prevent automated decision taking in relation to the individual.

Visit [www.ico.gov.uk](http://www.ico.gov.uk) ; telephone 01625 545745 or write to:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9

5AF

**Key Personnel - Roles and Responsibilities**

**Dacorum Borough Council CCTV Systems**

**Owner and Data Controller:**

Dacorum Borough Council  
The Forum  
Marlowes  
Hemel Hempstead  
Herts  
HP1 1DN  
Tel. 01442 228000

<http://www.dacorum.gov.uk>

Responsibilities include but are not limited to:

- Determining the purposes of CCTV
- Providing the Data Protection Officers' annual Notification of the CCTV System to the Information Commissioner
- Ensuring the provisions of the General Data Protection Regulations are met
- Ensuring the provisions of the Protections of Freedoms Act 2012 are met
- Providing a CCTV Code of Practice and local operating procedures
- Ensuring the provision and maintenance of all equipment forming part of any DBC CCTV system in accordance with contractual arrangements, which the owner may from time to time enter into
- Authorising proposed alterations and additions to CCTV systems, the DBC CCTV Code and operational procedures
- Appointment of an DBC representative to assist in all CCTV matters



**DBC CCTV Systems Management:**

CCTV/ Community Control Room Team Leader (CCCTL)  
Dacorum Borough Council  
The Forum  
Marlowes  
Hemel Hempstead  
Hertfordshire  
HP1 1DN

Tel. 01442 228000

The CCCTL will be the main point of contact on behalf of Dacorum Borough Council and will have delegated authority for data control on behalf of the Data Controller.

Responsibilities include but not limited to:

- First point of contact for DBC CCTV matters and DBC line manager in the Community Control Centre (CCC)
- Ensuring the day-to-day management of CCC staff and the PSS CCTV System
- Organising and maintaining the operator rota, and arranging cover as required
- Ensure support to all DBC CCTV/systems operators that have nominated responsibilities to any DBC CCTV system
- Identifying and organising operator training; coordinating all CCTV training required by security officers and other personnel to ensure the requirements of the DPA and other legislation are met
- Performing the duties of a CCTV Operator as required
- Liaison with maintenance and other contractors
- Main point of contact for Council Officers, the Police and other organisations, on operational CCTV matters
- Ensure the interests of the public, owners and other stakeholders are upheld in accordance with the terms of this Code of Practice
- Agree to any alterations and additions to CCTV systems, this Code and/or local operating procedures
- On behalf of Dacorum Borough Council and all CCTV stakeholders, implement any requirements to ensure the effective and compliant use of DBC CCTV systems

**CCTV/CCC Lead Officers and Operators**

- Perform the duties of a CCTV/CCC Operator
- Review historic CCTV images on behalf of legitimate interested parties when viewing requests are received
- Carry out immediate reviews of recent historic images in the event of an incident which requires clarification/investigation
- Report to the CCTV/CCC Tem Leader
- Carrying out regular checks on CCTV and operational systems to ensure that the procedures are being followed

**Appendix B**