

Lichfield District Council CCTV Code of Practice

- Public Static Scheme
- Waste Fleet including Streetscene vehicles
- Depot
- Council Offices
- Body Worn Cameras
- Fly-tipping Surveillance Cameras

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Owner: Head of Legal, Property and Democratic Services

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1. Introduction

- 1.1 This Code of Practice demonstrates the Council's compliance with the Surveillance Code of Practice published by the Home Office in June 2013 and the principles of surveillance by consent which are set out within that code.
- 1.2 This Code, and compliance with this Code, is the responsibility of the Council's Head of Legal, Property & Democratic Services.
- 1.3 This Code covers the following CCTV systems: Public Static Scheme, Waste Fleet including streetscene; Council Offices, Depot; and body worn cameras and fly tipping mobile cameras used by Regulatory Services.
- 1.4 The Council uses each CCTV system for its own specific purpose with its own operational protocols. This Code describes how the Council demonstrates compliance in respect of each and all of its systems.
- 1.5 The purpose of this Code is to ensure that the CCTV systems are justified, used effectively and that their use complies with the relevant legislation.
- 1.6 The systems will not be used for any other purpose than those described in this Code.
- 1.7 This Code is to ensure that the Council, staff involved in managing, operating and running the system, and the public, are protected from inappropriate operation of the systems.
- 1.8 When clarification or interpretation is required as to the extent and meaning of this Code, advice should be sought from the Head of Legal, Property & Democratic Services, or, for matters relating to the Waste Fleet, the Chairman of the Employee Liaison Group.

2. Purpose of each of the CCTV Systems

2.1 The Council operates 6 separate systems:

- a. Public Static system
- b. Waste Fleet system including Streetscene vehicles
- c. Depot system
- d. Council offices system
- e. Body-worn camera system
- f. Fly-tipping surveillance system

a. Public Static system

2.2 The Council is in partnership with the managing agents of the Three Spires Shopping Centre (Three Spires), Lichfield, to provide and operate a static CCTV system that covers the streets and other public areas of Lichfield city centre, and other retail areas of Lichfield and Burntwood.

2.3 The Council and Three Spires are jointly responsible for the fair and effective operation of all aspects of the Public Static system.

2.4 The system complies both with this Code and a separate Operational Manual.

2.5 The system comprises a number of colour and monochrome cameras and is operated from a Control Room located at the Three Spires Shopping Centre, Gresley Row, Lichfield.

2.6 The images from these cameras are recorded and monitored 24 hours a day, 365 days a year.

2.7 The Three Spires Manager, CCTV staff, including the Control Room Manager, and other representatives of the operating company – currently Axis – and the council's Technical Assistant have authorised routine access to the Control Centre.

2.8 Day to day management of the system is the responsibility of the Control Room Manager.

2.9 All recorded material is the property of Lichfield District Council, which retains copyright.

b. Waste Fleet including Streetscene vehicles

2.10 The Council provides and operates a CCTV system with cameras mounted upon each of the Joint Waste Service's fleet of waste vehicles. The Waste Service collects domestic and trade waste from properties throughout Lichfield district, Tamworth borough and part of North Warwickshire for disposal at sites inside and outside the collection areas.

2.11 In addition, a number of vehicles used by the Streetscene team also have CCTV cameras.

- 2.12 The Council is solely responsible for the fair and effective operation of the system.
- 2.13 The system complies both with this Code and separate Operational Protocols.
- 2.14 The system comprises a number of colour cameras mounted on each vehicle which view the vehicle and its immediate environment.
- 2.15 The images from these cameras are recorded whilst the vehicle is in use.
- 2.16 Images are recorded to an in-cab device which is not accessible to the crew. Access to the in-cab device is restricted to authorised personnel only.
- 2.17 The CCTV footage can be downloaded via secure Wifi link from the vehicle to a computer with password protected software.
- 2.18 Day to day management of the system is the responsibility of the General Manager.
- 2.19 All recorded material is the property of Lichfield District Council, which retains copyright.

c. Depot

- 2.20 The Council provides and operates a CCTV system that records activity inside and outside the depot buildings, Plant Lane, Burntwood.
- 2.21 The Council is solely responsible for the fair and effective operation of the system.
- 2.22 The system comprises a number of colour cameras focusing on areas including but not limited to the gate, car park, fuel store, entry doors and inside the buildings.
- 2.23 The images from these cameras are recorded 24 hours per day, 365 per day.
- 2.24 Live images can be viewed from within the depot but there is no routine monitoring.
- 2.25 Live images may be monitored by a third party alarm receiving centre if an alarm is triggered.
- 2.26 Day to day management of the system is the responsibility of the council's Operational Services Manager.
- 2.27 All recorded material is the property of Lichfield District Council, which retains copyright.

d. Council Offices

- 2.28 The Council provides and operates a CCTV system that records activity in and around the Council Offices, Frog Lane, Lichfield.

- 2.29 The Council is solely responsible for the fair and effective operation of the system.
- 2.30 The images from these cameras are recorded on a motion detection basis 24 hours a day, 365 days. The cameras are not monitored.
- 2.31 Day to day management of the system is the responsibility of the council's Information and Communications Technology Manager.
- 2.32 All recorded material is the property of Lichfield District Council, which retains copyright.

e. **Body Worn Cameras (BWC)**

- 2.33 The Regulatory Services team sometimes use body worn cameras whilst on visits or undertaking patrols.
- 2.34 The Council is solely responsible for the fair and effective operation of the system.
- 2.35 These cameras are used to record incidents where the team member believes there to be a threat of confrontation with a member of the public. Recording is stopped at the end of the visit.
- 2.36 Any member of the public who is being spoken to and who may be recorded on body worn cameras will be made aware of the fact that they are being recorded.
- 2.37 Day to day management of the system is the responsibility of the council's Head of Regulatory Services.
- 2.38 All recorded material is the property of Lichfield District Council, which retains copyright.

f. **Fly Tipping Surveillance Cameras**

- 2.39 The Regulatory Services team sometimes use covert surveillance cameras for the purposes of investigating persistent fly-tipping.
- 2.40 The Council is solely responsible for the fair and effective operation of the system.
- 2.41 The system comprises portable, battery powered cameras which are positioned at known fly-tipping hotspots which have been recently used to dispose of waste illegally.
- 2.42 Where cameras are located covertly, the Council will seek authorisation from a Magistrates Court via the Regulation of Investigatory Powers Act (RIPA). Such RIPA authorisations will only be sought for a limited duration, in line with guidance.
- 2.43 These cameras are motion activated and recording takes place for a set period of time following activation.

- 2.44 Day to day management of the system is the responsibility of the council's Head of Regulatory Services.
- 2.45 All recorded material is the property of Lichfield District Council, which retains copyright.

3. The 12 Principles of the national Code of Practice

- 3.1 This Code has been set out in the order of the 12 principles as described in the Surveillance Camera Commissioner Codes of Practice.

4. Principle 1 – Purpose, Aim, Pressing Need

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

For all systems

4.1 The purpose and aims of all of these systems to meet a pressing need are to:-

- protect areas and premises used by the public and employees
- deter and detect crime and anti-social behaviour
- assist in the identification of offenders leading to their arrest and successful prosecution
- increase public reassurance
- discourage aggressive or violent behaviour towards staff
- improve public safety

4.2 In addition, there are additional purposes and aims of the individual systems as follows:

For public static system

- Maintain and enhance the commercial viability of the city and encourage continued investment
- Encourage better use of city facilities and attractions

For the waste fleet system including Streetscene

- help the Council to meet its responsibilities under the Health and Safety at Work Act 1974 and associated Regulations
- record evidence that might be used to investigate accidents, 'near-misses', dangerous occurrences or other incidents
- investigate incidents that have caused harm to people or damage to property
- investigate damage to a vehicle or an unexplained change in the condition of a vehicle;
- examine reported 'near misses' for lessons learned

- investigate complaints about the behaviour of members of the public towards staff
- investigate complaints made about the behaviour of staff on matters which affect the health and safety of any person or safety of equipment or the way it is used
- reassure employees that crime or aggressive or violent behaviour towards them will not be tolerated

- to help improve the efficiency of operations
- to monitor and improve compliance with safe working practices and to help identify training needs

- use as training aids for the demonstration of good and poor operational practice (where permission of those identifiable has been received).
- reduce the likelihood of vexatious or frivolous complaints from members of the public
- check customer service complaints and to improve customer care.

Using footage from the waste vehicles will:

- assist the Council and its insurers to defend or progress insurance claims
- help reduce insurance premiums
- protect the vehicle from damage or theft
- provide evidence to help understand the cause and seriousness of accidents, 'near misses' and dangerous occurrences
- help investigate reported breaches of the Health and Safety Policy and established working practices
- provide evidence to resolve complaints, grievances or whistleblowing reports
- provide evidence to support the inquiries of enforcement bodies
- help train staff
- help improve productivity levels
- enhance customer care

For the Fly-tipping surveillance systems

- Investigate and detect fly tipping

5. Principle 2 – Privacy and Reviews

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.

Public Static System

- 5.1 The council respects and supports the individual's entitlement to go about their lawful business and this is a primary consideration in the operation of the System. Although there is inevitably some loss of privacy when CCTV cameras are installed, cameras will not be used to monitor individuals in the ordinary course of lawful business. Individuals will only be monitored if there is reasonable cause to suspect that an offence has been or may be about to be committed, or there is concern about an individual's immediate safety.
- 5.2 The system observes the following practices:
1. The Control Centre Operators must only use the cameras to view public areas and not to look into the interior of any private premises. The only exceptions to this rule is if an authorised operation is mounted under the Regulation of Investigatory Powers Act or an immediate response to a police or other enforcement agencies' request for assistance following a crime being committed, or if an Operator, whilst operating the cameras in accordance with this Code of Practice, nevertheless happens to observe something which she/he believes indicates that a serious crime is being, or is about to be committed in a non-public area.
 2. Static Cameras must be positioned in such a way as not to view private areas
 3. Any event where an Operator takes a decision to view or continue viewing a private area must be entered into the Incident Log. The details must include location, time, date, camera number and the reason for the observation. Operators will be required to justify their actions. Any breach of this condition of employment will result in disciplinary proceedings and may lead to the dismissal of the Operator.
 4. A privacy impact assessment of each camera in the system will be undertaken annually by the Technical Assistant.
 5. The public are informed of a CCTV system being in operation through the use of appropriate signage throughout the monitored area.

Waste Fleet and Streetscene

- 5.3 The council respects and supports the individual's entitlement to go about their lawful business and this is a primary consideration in the operation of the System. Although there is inevitably

some loss of privacy when CCTV cameras are installed, cameras will not be used to monitor individuals, including employees, in the ordinary course of lawful business.

- 5.4 Footage may be used subsequently to assess operations with a view to improving productivity or for training.
- 5.5 The system observes the following practices:
1. The cameras are not monitored.
 2. The cameras are positioned to enable a view of the vehicle and its immediate environment. The view of the camera is fixed in relation to the vehicle. Any view into a private area is unintended and temporary.
 3. Footage is reviewed either to investigate a specific incident or is sampled to maintain and improve operational efficiency.
 4. A privacy impact assessment of each camera position on a vehicle will be undertaken annually by the Transport Officer.
 5. The public are informed of a CCTV system being in operation through the use of appropriate signage on the vehicle and on the uniform of the crew.
 6. Employees are advised that the CCTV system is in operation through in-cab signs, letter of appointment, briefings and minutes of the Health and Safety Committee.

Depot

- 5.6 The council respects and supports the individual's entitlement to go about their lawful business and this is a primary consideration in the operation of the System. Although there is inevitably some loss of privacy when CCTV cameras are installed, cameras will not be used to monitor individuals, including employees, in the ordinary course of lawful business.
- 5.7 The system observes the following practices:
1. The cameras are only monitored when an alarm – intruder, fire or smoke - is raised.
 2. The cameras are positioned in such a way as not to view private areas.
 3. A privacy impact assessment of each camera will be undertaken annually by the Operational Services Manager.
 4. The public are informed of a CCTV system being in operation through the use of appropriate on-site signage.
 5. Employees are advised that the CCTV system is in operation.

Council House

- 5.8 The council respects and supports the individual's entitlement to go about their lawful business and this is a primary consideration in the operation of the System. Although there is inevitably some loss of privacy when CCTV cameras are installed, cameras will not be used to monitor individuals, including employees, in the ordinary course of lawful business.
- 5.9 The system observes the following practices:

1. The cameras are not monitored.
2. The cameras are positioned in such a way as not to view private areas.
3. A privacy impact assessment of each camera will be undertaken annually by the Information and Communications Manager.
4. The public are informed of a CCTV system being in operation through the use of appropriate on-site signage.
5. Employees are advised that the CCTV system is in operation.

Body-Worn Cameras

- 5.10 The council respects and supports the individual's entitlement to go about their lawful business and this is a primary consideration in the operation of the System. Although there is inevitably some loss of privacy when CCTV cameras are worn, cameras will not be used to monitor individuals, including employees, in the ordinary course of lawful business.
- 5.11 The system observes the following practices:
1. The cameras are worn by members of the Environmental Health team whilst undertaking visits and patrols.
 2. The cameras record the experience – footage and sound – experienced by the officer wearing the camera.
 3. The cameras are only to be activated in a situation where the officer feels that there is a real risk of threat/intimidation/confrontation and/or needs to gather evidence.
 4. A privacy impact assessment of the system will be undertaken annually by the Environmental and Protection Manager.
 5. The public are informed of a CCTV system being in operation verbally and through the use of appropriate on-clothing signage.
 6. A verbal warning should be given prior to activation of the cameras. Upon activation the officer will inform the member of the public that:-
 - The camera is recording
 - Their name and the number of the case
 - The names of other persons present
 - That they are working on behalf of Lichfield District Council
 - They will also state the date, time and location
 7. Recording should last for the length of the incident and there should be a new recording for each incident.
 8. Upon returning to the office an incident log should be completed and the camera handed over to the designated officer in charge of collecting incident evidence to be downloaded.
 9. No individual EHO should download their evidence from their own cameras or tamper with evidence. If this were to occur the EHO would face disciplinary proceedings.
 10. All evidence should be deleted from the camera once it has been downloaded.

Fly-tipping Surveillance System

- 5.12 The council respects and supports the individual's entitlement to go about their lawful business and this is a primary consideration in the operation of the System. Although there is inevitably some loss of privacy when CCTV cameras are installed, cameras will not be used to monitor individuals in the ordinary course of lawful business.
- 5.13 The system observes the following practices:
1. The cameras are only positioned at locations where there is known to be a persistent problem with fly-tipping.
 2. The cameras are positioned in such a way as not to view private areas.
 3. The cameras are activated by motion sensors and record for a set time following activation.
 4. Footage is only recovered, viewed and saved if fly-tipping has taken place since the camera was set.
 5. Footage recorded that is not relevant to a fly-tipping incident will be deleted as soon relevant evidence has been saved.
 6. Footage taken when there is no evidence of fly-tipping will be deleted without viewing.
 7. A privacy impact assessment of each deployment will be undertaken by the Environmental Protection and Housing Manager.
 8. Signs are displayed to inform members of the public that the areas is being monitored unless RIPA authorisation has been obtained from a Magistrates' Court which means no signage is required.

6. Principle 3 – Transparency and Contact

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.

Cameras and Signage

- 6.1 All cameras are sited so that they are clearly visible, although some are mounted within protective domes. No hidden cameras will be used (except for Fly Tipping cameras), nor will the council utilise any non-functioning or 'dummy cameras'.
- 6.2 Publicity will be given to the system by clear signing within the monitored area. This will ensure that both the maximum deterrent value is achieved and that the public are clearly aware when they are in a monitored area. The system will not record sound in public places with the exception of Body Worn Cameras. Body Worn Cameras will also have clear signage on the uniform of the attending officer.
- 6.3 Moveable cameras used for monitoring fly tipping will be discreetly located but signage will be in the area unless RIPA authorisation has been obtained from a Magistrates Court which means no signage is required.
- 6.4 If any re-deployable CCTV cameras are used then these are normally mounted on posts and send their images back to the CCTV Control Room via an encrypted radio signal. The use of these cameras is governed in exactly the same way as the fixed position cameras and they will be operated in accordance with this Code of Practice.

Access to information

- 6.5 This Code is available at the Council reception and on its website lichfielddc.gov.uk/cctv
- 6.6 The point of contact is the Council's Head of Legal, Property & Democratic Services at Lichfield District Council, and can be contacted either by email: cctv@lichfielddc.gov.uk or by phone 01543 308000.

Complaints

- 6.7 Complaints about any aspect of the council's CCTV systems will be considered through the council's normal complaints procedure.
- 6.8 Details about the procedure are on the its website: lichfielddc.gov.uk/complaints

Transparency

- 6.9 An annual report on the use and operation of the CCTV systems is produced and published on the council's website at lichfielddc.gov.uk/cctv.
- 6.10 The annual report covers a calendar year and publication is expected in around February.

7. Principle 4 - Accountability

There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.

- 7.1 Overall responsibility for the Code and the council's Single Point of Contact for its CCTV systems is the Head of Legal, Property and Democratic Services
- 7.2 The following Council officers are responsible for the CCTV systems:
- Public Static Scheme – Technical Assistant
 - Waste Fleet / Streetscene – General Manager / Operational Services Manager respectively
 - Depot – Operational Services Manager
 - Council Offices – Information and Communications Technology Manager
 - Body Worn Camera – Environmental Protection and Housing Manager
 - Fly-tipping surveillance cameras – Environmental Protection and Housing Manager
- 7.3 Those identified above are also responsible for the development and operation of each system, for ensuring there is appropriate consultation and transparency over its purpose, deployment and for reviewing how effectively it meets its purpose.
- 7.4 They are also responsible for the images and information collected, held and used.
- 7.5 They are also responsible for undertaking an annual audit of the system to ensure compliance with the code.

8. Principle 5 – Policies for Use

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

Public Static CCTV System

Staffing

- 8.1 The Control Room will be operated on a 24-hour basis.
- 8.2 Staff are employed by an operator company (currently Axis) under contract to Three Spires.
- 8.3 Staff are appointed subject to approved vetting procedures, to ensure their suitability for the work.
- 8.4 Three Spires requires that the operator company ensures that all staff are trained to a proficient level and are licensed by the Security Industry Authority before they are allowed to take up an operational position in the Control Room.
- 8.5 Training will include:
 - Use of equipment
 - Observation techniques
 - Council procedures and record keeping
 - Report procedures and action on incidents
 - Evidence handling
 - Actions in the event of an emergency
 - Legislation and crime prevention
 - Operational exercises
- 8.6 A suitably qualified member of the operator company will supervise all training at all times.
- 8.7 The operator company will also ensure that all operators are provided with annual “Refresher Training” to ensure that the highest operating and management standards are maintained.
- 8.8 The operator company will ensure that training records are maintained for each member of staff employed in the Control Room.
- 8.9 Conditions of employment will require a “Confidentiality Clause” which prohibits public and private disclosure of information obtained during monitoring. This clause will be effective both during and after staff service on the scheme.
- 8.10 Staff will be required to provide the Police from time to time with statements required for evidential purposes.

- 8.11 Three Spires, the operator company (Axis) and the Council all reserve the right to exclude permanently from the Control Room, and/or require the dismissal of, any Operator who is in breach of this Code.

Operating Efficiency

- 8.12 The Control Room Duty Operators will confirm daily the operational efficiency of the system and the link to the Police. Any defects will be reported to the Council. They will be logged and remedial action will be taken as quickly as possible.
- 8.13 The Operator will endeavour to ensure that there is at least one person in the Control Room at all times.
- 8.14 All use of the cameras shall accord with the purposes and key objectives of the Scheme as developed in training and specific operating instructions to staff, and shall comply with the Code.
- 8.15 Images and records will be reviewed periodically, and without prior notice to staff, by Three Spires and audited by the Council to ensure that this is happening. Staff will be aware that they will be subject to this audit of their recordings and will be required to justify their interest in a member of the public or particular premises. In the event of an emergency requiring evacuation of the Control Room, procedures will be put into operation to ensure the continued operation and security of the system.

Access

- 8.16 The Control Room door has an access control system and will remain secured at all times. Routine access to the Control Centre will be limited to:
- Duty CCTV staff
 - Designated officers of the Council
 - Designated police officers
 - Police officers who have been authorised by the Police Duty Officer and by prior arrangement with the CCTV Manager or duty CCTV staff.

Visitors

- 8.17 Organised visits for viewing the operation of the system will be arranged from time to time, but these may be subject to change or termination at short notice to meet operational requirements. Operation of equipment will only be carried out by the duty staff. All other persons wishing to visit the Control Room must make their request to the Technical Assistant. Visitors may be asked to make their request in writing specifying the reasons for that request.
- 8.18 It is important that operations are managed with the minimum of disruption. Casual visits will not be permitted. All visitors will sign a log detailing their name, company, organisation, and their arrival/departure times. This log will be subject to regular audit and assessed to ensure compliance with the Code and operating procedures.

Contractors

- 8.19 Access for contractors will be necessary from time to time for the purpose of maintaining the Control Room and its equipment. This will be limited to that strictly necessary for the work. At no time will contractors be left unattended in the Control Room. All contractors' visits will be logged.

Police

- 8.20 The Police should not require access to the Control Centre unless specifically designated or authorised. Police officers attending unexpectedly shall only be admitted after the purpose of the visit has been approved by contact with the Police Duty Officer or the CCTV Supervisor. Their attendance will be logged.

Control Room Operation

- 8.21 Every effort will be made to ensure that there is always at least one Operator present in the Control Room.
- 8.22 An Incident Log will be maintained on the basis of date and time of day throughout operation. It will give brief details of all incidents monitored and show all relevant actions taken by Operators.
- 8.23 A Visitor Log will be maintained in the Control Room which all visitors will be required to complete. The entry will show the time, duration, date and intended purpose of the visit.
- 8.24 A Media Movement Log will be maintained.

Waste Fleet and Streetscene

- 8.25 The Code ensures that appropriate controls and processes are in place for the correct use of the images including data security.
- 8.26 The application of the Code is reviewed at least annually by the council's Employee Liaison Group.
- 8.27 Day to day control (specification, maintenance, access to equipment/ software, system checks etc.) will be managed by the General Manager together with the Transport Officer.
- 8.28 Only the Operational Services Manager, the General Manager, the Transport Officer, Head of Legal, Property & Democratic Services, and the Health and Safety Manager will have access to the keys for the locked compartments on the vehicles.
- 8.29 The data on the hard disk is encrypted and the footage can only be viewed with specific password protected software only available on the dedicated workstation for this purpose. The CCTV footage can either be retrieved by removing the encrypted disk from the cab or downloaded via

secure Wi-Fi link from the vehicle to a computer with password protected software. It is the role of the General Manager to ensure these passwords are kept private.

- 8.30 Only the General Manager, the Operational Services Manager, the Transport Officer, Head of Legal, Property & Democratic Services or Health and Safety Manager will have access to the software.
- 8.31 Viewing of images is restricted to footage requested in accordance with approval processes described at section 10.
- 8.32 Specific evidential material will be retained in a separate temporary file stored in a password protected folder for the period of the investigation or prosecution and then be deleted.
- 8.33 Details of viewing of digital images will be logged in the CCTV image access register which will be maintained by the Transport Officer

Depot and Council Offices

- 8.34 The Code ensures that appropriate controls and processes are in place for the correct use of the images including data security.
- 8.35 Only the Operational Services Manager, and delegated representatives, and the Information and Communications Technology Manager, and delegated representatives, have access to recordings for the depot and council offices respectively.
- 8.36 Specific evidential material will be retained in a separate temporary file for the period of the investigation or prosecution and then be deleted. Details of viewing of digital images will be logged in the CCTV image access register which will be maintained by the Council's Head of Legal, Property & Democratic Services.

Body Worn Cameras / Fly Tipping Surveillance Cameras

- 8.37 The Body Cameras will only be operated if officers wearing devices believe that there is the potential for threat or confrontation or there is a need to gather evidence.
- 8.38 Staff who use body worn cameras will generally be those undertaking patrols for littering and dog fouling. Any staff using body worn cameras will be trained in their use and in the requirements to advise anyone being recorded that they are on camera.
- 8.39 Any officers wishing to deploy fly tipping cameras shall be trained in their use and also in the requirements of RIPA. Any proposed deployments will initially be discussed with the Environmental Protection and Housing Manager with a view to determining if grounds exist which warrant a RIPA authorisation application to the Magistrates Court.
- 8.40 All covert deployment of fly tipping CCTV shall only take place if a RIPA authorisation has been obtained and then only for the duration authorised by the Court.

Principle 6 – Information storage

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.

For all systems

- 8.41 For all systems other than waste fleet / streetscene, data / images will be stored for no longer than 30 days to allow time for any requests for information to be made. After the 30 day period all data / images will be deleted / destroyed unless covers by section 9.3 or 9.4.
- 8.42 For waste fleet / streetscene images are automatically over-written after approximately 30 days of usage. The exact period of retention is dependent upon the number of hours that the vehicle has been in operation.
- 8.43 Any data passed to a third party including the police, other enforcement agent or insurance company, will be noted and will then become the responsibility of the third party to delete/ destroy once it has finished being used.
- 8.44 In certain circumstances images may be retained or copied for training, demonstration or evidential purposes. Authority to retain images is provided by the procedure described in section 10.
- 8.45 The council retains the copyright of all images in order to prevent use by third parties in a way that is contrary to this policy.

Control of DVD/CD Media

- 8.46 All images reproduced on any media will remain the property of the Council. Each new downloaded recording must be clearly and uniquely marked before it is issued.
- 8.47 At the point of re-production, a record shall be made of the identification number of the media, date, time of insertion and time of removal in the Media Movement Log (for public static system) or similar log for other systems.
- 8.48 For the public static scheme only, except for evidential, training and demonstration purposes media containing recordings must not be removed from the Control Room under any circumstances.
- 8.49 All media will be erased prior to disposal.

Copying Images

- 8.50 If after viewing the images, there is a requirement to copy the recording, in order to protect it and to provide it as evidence then one copy shall be provided for the requesting officer. A second copy will also be made and stored safely. This second copy may be used to make further copies if required.
- 8.51 Copies remaining in the possession of the Council will be destroyed once investigations and proceedings related to those investigations are complete.
- 8.52 If the request has come from an enforcement agency, or on advice of the Head of Legal, Property & Democratic Services or insurance company, then a master copy will be made and placed in the Council's safe until the investigations and proceedings related to the investigation are concluded.
- 8.53 Any media containing images should be uniquely marked and the number recorded for ease of identification.

9. Principle 7 – Access to Retained Images

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.

DVD/CD Recording

- 9.1 Recorded materials may need to be submitted as evidence in criminal or other legal proceedings and therefore should be of good quality, and be accurate in content. All such material will be treated in accordance with strictly defined procedures to provide continuity of evidence and to avoid contamination of the evidence.
- 9.2 Recorded material will not be sold, shared or used for commercial purposes or the provision of entertainment.
- 9.3 The showing of recorded material to the public will only be allowed either, if at the outset of potential action against the council that the footage clearly demonstrates that the claim is without merit (in order to minimise legal and insurance costs) or in accordance with the law; either in compliance with the needs of Police in connection with the investigation of a crime, which will be conducted in accordance with the provisions of this Code of Practice, or in any other circumstances provided by law.
- 9.4 The use of recorded material to demonstrate a claim is without merit may only be undertaken by the Health and Safety Manager or Insurance Officer with the express authority of the Director of Transformation & Resources, the Head of Corporate Services, or the Head of Legal, Property & Democratic Services.

Access to Images

- 9.5 The principal external source of requests for access to images is expected to be from the Police, other enforcement agencies or insurance companies. The Duty Operators / points of contact may deal with these requests.
- 9.6 Other requests for access, such as for monitoring traffic flows (example for public static scheme only), must be made in writing to the relevant Council Manager, specifying the reasons for the request.
- 9.7 Such reviewing may be refused and if allowed must be directly supervised at all times.
- 9.8 Access to images by third parties will not normally be allowed except where a formal agreement is in force relating to monitoring of third party cameras.

- 9.9 There may be circumstances in which the Council is subject to a court order to release images in connection with civil disputes. These cases are likely to be rare, but the Council would be unable to refuse to release material in these circumstances.
- 9.10 Access to disks containing the evidence for lawyers acting for defendants or victims in connection with criminal proceedings will be provided under the Disclosure of Evidence Act by the Police, Crown Prosecution Service or enforcement agency dealing with the case.
- 9.11 There may be a request under the Data Protection Act or the Freedom of Information Act to allow individuals to see or be informed about any data held about them. Since data is only stored for a maximum of 30 days it is vital that such requests are made in writing to the Council as quickly as possible but in any event within 21 days to allow the relevant data to be held.
- 9.12 No other access will be allowed unless approved by the relevant Council Manager and approval would only be given if the request falls within the purposes and objectives of the system and in accordance with the Code of Practice.

Viewing images and the provision of Evidence

- 9.13 Images from the CCTV recordings will be viewed only in the following circumstances:
- For the purposes of investigating a specific incident identified by a date, time or location, and brought to the attention of the Council by a member of staff, a member of the public, or another organisation.
 - For the purposes of investigating the cause of damage to the vehicle when it is not clear how and when it was caused.
 - For the waste fleet system, for the purposes of promoting productivity, customer care and training.
- 9.14 In the first instance, the images will be viewed only by the Council, unless the police or other enforcement agency, have requested access for the purposes of detecting crime or in the case of civil claims an insurance company or its representatives.

Process for Approving the Viewing of Images

- 9.15 It is critical that a full and detailed record is kept of all viewings of the systems and all instances when images are used and that images are only viewed for the purposes described by this Code.
- 9.16 To view specific incidents from the Public Static / Depot / Council offices, Waste Fleet/ Streetscene systems, the “Access to CCTV – Image Request Form”, (appendix 1) must be completed for access to footage.

- 9.17 For sampling of footage from the waste fleet / streetscene, then the separate Protocol on the Proactive Use of CCTV must be followed. This protocol is to be approved and reviewed annually by the Employee Liaison Group.

Using the Access to CCTV – Image Request Form'

- 9.18 A completed 'Access to CCTV – Image Request Form' must describe the following:
- The purpose of the request
 - Confirmation that the purpose complies with a reason for the system
 - The incident, or complaint, that is being investigated ;
- 9.19 The form must also identify who is requesting the image to be reviewed. Any person can request to view the CCTV footage but an officer identified at 10.20 must determine the suitability of each request and authorise the viewing of the footage.
- 9.20 The following employees can authorise requests to view images but may not authorise their own requests.

Employees able to approve CCTV Image requests.

1. Chief Executive
 2. Chief Executive of Tamworth Borough Council (for waste fleet system only)
 3. Director
 4. Head of Legal, Property & Democratic Services
 5. Head of Regulatory, Health and Wellbeing Services (for body worn and fly tipping cameras only)
 6. Head of Corporate Services
 7. Health and Safety Manager
 8. Internal Audit Manager
 9. Insurance Officer (for insurance or potential insurance claims only)
 10. Operational Services Manager (for waste fleet system only, only at request of enforcement agencies or to investigate damage to a vehicle).
- 9.21 Approval will not be granted for any request which is not for a permitted purpose. No authorisation will be granted for 'fishing trips'.
- 9.22 A comprehensive record of all requests – approved or otherwise – will be maintained together with the request forms.
- 9.23 If approval to view the images is granted, then the recording will be viewed at the depot / control room /council office unless the images relate to an actual insurance claim whereby the footage will be downloaded and sent on disk to the Insurance Officer.

- 9.24 In the event of an incident relating to a specific individual, the employee or employee's representatives may ask for the recording to be viewed in order to provide evidence for the employee.
- 9.25 In such instances, the request of the employee will be considered for authorisation by the Director of Transformation & Resources or the Head of Corporate Services. There will be a presumption that this request will be permitted provided that the request is in accordance with the usual criteria for requesting a viewing.

Police Role – Public Static system only

- 9.26 The control of the cameras and monitoring is in the hands of the Control Room staff only. The Police may request assistance in order to:
- Assist with the deployment of resources
 - Monitor potential public disorder or other major security situations
 - Assist in the prevention or detection of crime
 - Facilitate the apprehension and prosecution of offenders in relation to crime and public order
 - Assist with the detection of moving traffic offences where it is considered that the public safety is at risk
- 9.27 Such requests will usually arise after the Police have been contacted by the Duty Operator. In these circumstances the Police Duty Operator may request the Duty Operator to take further action. In circumstances when problems are anticipated, arrangements may be made for a Police Officer to be present within the Control Room for liaison purposes. This will normally apply for the duration of the incident and will be subject to the arrangements made by the Police Duty Officer. On each occasion a record must be made in the Incident Log.

Major Incidents / Emergency Planning - Public Static system only

- 9.28 If appropriate, during a major civil emergency, the Chief Executive, or their designated deputy, will authorise the deployment of a Liaison Officer from the emergency planning response team into the Control Room.
- 9.29 The Duty Operator(s) will give assistance and technical advice as required in all matters concerning the deployment and use of the facilities within the CCTV Control Centre.

Using CCTV images as evidence

- 9.30 The CCTV images obtained in the investigation of an incident may be used by the requesting officer as they see fit to use such evidence. For instance, it may be provided in defence or in

pursuit of an insurance claim, to investigate a whistleblowing complaint, -all or to be used in evidence, either in support or in defence, of a disciplinary investigation.

- 9.31 In certain circumstances it may be used as a health and safety training aid but only with the permission of the employee(s) involved.

Recording Systems

- 9.32 All staff required to operate CCTV equipment are to receive training in the use of the equipment and must conform to this Code at all times.
- 9.33 They 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.
- 9.34 Any other staff having access to the equipment will also sign a confidentiality statement (included on the request to view form).

Control of Images

- 9.35 All images will remain the property and copyright of Lichfield District Council. Where copies of images are made they will be clearly marked copy with indelible ink. Each use or issue of an image will be noted in the relevant CCTV Image Access Register. Both the image and the register will be stored in a secure place. All recording media will be erased prior to reuse or disposal.

10. Principle 8 - Standards

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.

SIA Licences and Vetting

- 10.1 Control Room staff whether employed by the council or the operator body must have an SIA licence.
- 10.2 All staff involved in the review and export of recordings of the static camera system should also have a BS7858 background check carried out.
- 10.3 Council employees monitoring only council cameras only do not need a SIA CCTV operator licence

Technical Standards

- 10.4 The systems must be installed and maintained by professional CCTV Installation and Maintenance contractors who can ensure that installations meet relevant installation standards and that suitable fit-for-purpose equipment is installed that will be reliable and deliver clear images.

11. Principle 9 – Security and Safeguards

Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.

- 11.1 The following measures are in place to protect against unauthorised access and use:
- 11.2 Public Static scheme – Control Room is secure to which only authorised staff / visitors are permitted to enter. Details of viewing of digital images will be logged in the CCTV image access register which will be maintained by the Duty Manager.
- 11.3 Waste Fleet/Streetscene - Only the General Manager, Operational Services Manager, the Transport Officer, Head of Legal, Property & Democratic Services and Health and Safety Manager have access to the keys for the locked compartments on the fleet vehicles.
- 11.4 In addition the data on the vehicles' hard disk is encrypted and the footage can only be viewed with specific password protected software only available on a dedicated workstation.
- 11.5 It is the role of the General Manager to ensure these passwords are kept private. Only the General Manager, Operational Services Manager, the Transport Officer, Head of Legal, Property & Democratic Services, or Health and Safety Manager will have access to the software.
- 11.6 Details of viewing of digital images will be logged in the CCTV image access register which will be maintained by the General Manager.
- 11.7 Depot / Council Offices – Recordings will be stored on the secure server and will be accessible only by the Operational Services Manager / ICT Manager respectively. Details of viewing of digital images will be logged in the CCTV image access register which will be maintained by Operational Services Manager / ICT Manager respectively
- 11.8 Body Worn and Fly tipping cameras - All recordings downloaded by the Environmental Protection and Housing Manager will be kept in a password protected folder. Details of viewing of digital images will be logged in the CCTV image access register which will be maintained by Environmental Protection and Housing Manager.
- 11.9 Specific evidential material will be retained in a separate temporary file for the period of the investigation or prosecution and then be deleted.

12. Principle 10 – Review, Audit and Reports

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.

Annual Review

- 12.1 An annual review should be carried out by system managers to re-confirm the systems remains necessary, proportionate and effective in meeting their stated purpose.
- 12.2 The review should assess
- The location of each camera against its stated purpose, its legitimate aim and its pressing need.
 - The image quality of the camera
 - Correct locations of camera privacy zones
 - The number of times the camera has been used during incidents and in evidence and for other purposes
 - Whether a camera should be removed or relocated.
- 12.3 This review shall be completed by 31 January each year.

Reporting

- 12.4 For Waste Fleet, in order to ensure compliance with the policy the “Joint Waste Service Health and Safety Group” will discuss as required the number and type of requests made for CCTV viewing and release.
- 12.5 In addition the Health and Safety Manager will produce a report on the waste fleet for review by the Employee Liaison Group on an annual basis every February.
- 12.6 An annual report should be produced in February by the Head of Legal, Property and Democratic Services detailing the findings of the annual review including usage data. This report should be published on the Council’s website.

13. Principle 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.

Equipment Health Checks

Systems with live viewing capability (Public static /council offices /depot)

- 13.1 Staff must check the health of the CCTV system on a regular basis. (Sample form at Appendix 2).
- 13.2 Checks will be carried out on a daily basis (for public static) and monthly for (council offices / depot) on every camera to check cameras are working, check the image quality and test Pan/Tilt/Zoom functionality.
- 13.3 Checks on the public static system will be carried out once per month to test the quality of the recordings during daylight and after dark and to check the recording duration of each camera.

Systems with no live viewing (Waste Fleet, Body Worn Cameras, Fly Tipping Cameras)

- 13.4 These are systems where footage is not viewable live and can only be accessed retrospectively by collecting a hard drive from the vehicle, or downloading the footage via the Wi-Fi link at the Depot, recovering a Body Worn or Fly Tipping Camera or starting video recorder replay software. Checks are necessary to ensure cameras are working and recording and that the time and date programmed into equipment is correct. Checks will be carried out once per month unless there is good reason to believe functionality may be impaired and a check is required more imminently.
- 13.5 Where cameras are used infrequently, such as for fly tipping, the cameras will be checked prior to each deployment.
- 13.6 Initial checks may also be carried out when new equipment is installed or purchased.
- 13.7 Additionally health checks are carried out on the Waste Fleet. This will include a check of the whole recording system to ensure it is in good health and working correctly. The check will include a single snapshot being taken from each vehicle camera to allow the authorised officer to check the camera position.

Time and Date Checks

- 13.8 All CCTV systems contain a clock used to timestamp recordings. The system health check audit must check the clocks in the system against the actual time and date and any discrepancies corrected. The health check sheet must record any discrepancy that was found so that timestamps on recordings made by the recorder can be related to the actual time and date.

Checks and Fault Reporting

- 13.9 Checks will be carried out by the relevant officer/manager or an appointed member of staff and the date and time of each audit will be recorded on the system health check sheet along with the staff name and the findings. Copies of recordings will not be made of any footage for the purpose of audits.
- 13.10 Any faults identified with the equipment are to be reported to the System manager.

Camera Operation

- 13.11 Staff are to be trained in the proper operation of the CCTV system where Pan/Tilt/Zoom cameras are used to ensure they can correctly operate the system and know how to gather the highest quality evidence and maintain continuity of evidence through the use and knowledge of neighbouring cameras, paths, alleys and roads.

Operator Efficiency Review

- 13.12 Images and records of operator usage will be reviewed periodically, and without prior notice to staff, to ensure that equipment checks and suitable camera operation is occurring. Staff will be aware that they will be subject to this audit of their recordings and will be required to justify their interest in a member of the public or particular premises.

Maintenance and Cleaning

- 13.13 The Council will ensure a suitable CCTV contractor is engaged to clean and maintain the camera system and to repair faults.

Audit Trail

- 13.14 Records must be kept of who has reviewed footage, who has exported it and which cameras were involved as part of the chain of evidence for law enforcement agencies and other users of camera footage.

14. Principle 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

- 14.1 The systems do not reference any databases for matching purposes.
- 14.2 Images are timestamped and equipment must be synchronised with an accurate master clock.

Appendix 1. Image request forms

ACCESS TO CCTV IMAGE REQUEST FORM

You must fill this form in if you require access to CCTV images held by Lichfield District Council

Declaration: I understand that any information I obtain from recording medium is protected under the Data Protection Act 1998 and General Data Protection Regulations 2018.

Details of Person Requesting Image Viewing

Print Full Name

Position

Signature

Date of request

The reason for viewing/releasing the image

To enable the investigation into the circumstances surrounding (tick as appropriate)

- incidents that have caused harm to people or damage to property,

- damage to the vehicle or an unexplained change in the condition of the vehicle (waste only);

- reported 'near misses' or dangerous occurrences

- incidents relating to allegations made by staff or members of the public of accidents, near misses or damage caused by the operations of, around, or condition of, the vehicle (waste only),

- complaints about the behaviour of members of the public towards staff

- complaints made about the behaviour of staff on matters which affect the health and safety of any person or safety of equipment or the way it is used

- prevent and detect crime and anti-social behaviour targeted at vehicles, property or staff.

- Review customer complaints (waste only)

Details:

Details of Person authorising the request (must be postholder at s10.19 of Code of Practice)

Print Full Name

Position

Signature

Date

Access approved

Access not approved

Reasons.....

Details of Person Obtaining/Releasing the Image (must be approved officer as defined by the Code of Practice)

Print Full Name _____ Position _____

Signature

Date and times Image to be released/Viewed.....

Vehicle/Camera Reference to be released

Details of person to whom Images released

I certify that, in line with Lichfield District Council policies, I accept responsibility for the recorded images and will use them only as prescribed by the Data Protection Act 2018 and GDPR

Print Full Name _____ Position _____

Signature

Date and times of Image released.....

Vehicle/Camera Reference to be released

Serial Number of CD/DVD

- **Appendix 2. Sample System Health Check Form**

SYSTEM HEALTH CHECK AUDIT FORM

Lichfield District Council, District Council House, Frog Lane, Lichfield, Staffs. WS13 6YU

You must fill this form in when carrying out the system health check audits

Declaration: I understand that any information viewed during the audit will remain confidential is subject to the Data Protection Act and GDPR and will not be copied in any way.

Site/Vehicle/Camera Details

E.G. BWC or Fly Tipping Camera serial number. Building Address (Depot). Vehicle Registration

Live Image Quality and Camera Control

Confirm that there is a clear, fault free, image from each camera on the system.
For Pan/Tilt/Zoom cameras a check of the pan, tilt and zoom functions must be made

E.G. List of cameras checked for example Cameras 1 to 17 and list of cameras with PTZ control that were checked

Recorded Image Quality

Confirm that there is a clear, fault free image recorded during daylight hours for each camera.
Confirm that there is a clear, fault free image recorded during darkness for each camera
Check the date of the oldest recording for each camera

E.G. List of cameras checked for example Cameras 1 to 17 and make note of the oldest recording

Time and Date Checks

Compare the time and date of the clock in the CCTV system with an accurate clock (the talking clock or a computer synchronised to a master clock). Note any time difference and if the CCTV system clock was adjusted

E.G. Digital Recorder time 12:01:30. Actual time 12:01:10. Time difference 20 seconds

Print Full Name

Position

Signature

Date