

Code Of Practice For CCTV Surveillance System located at the Municipal Offices, Promenade, Cheltenham



CHELTENHAM
BOROUGH COUNCIL

www.cheltenham.gov.uk

January 2023

1.1. Management of the scheme

- 1.2. A risk assessment has been carried out to assess the need and requirements of CCTV systems at the Municipal Offices. This risk assessment is reviewed on an annual basis by the Compliance & Facilities Management Officer.
- 1.3. 16 Cameras covering all entrance / exits & public areas of the Municipal Offices have been sited to capture images which are relevant to the identified purposes of the installation.
- 1.4. The scheme will be operated using overt cameras which are sited so as not to intrude unreasonably on members of the public or staff. The CCTV scheme seeks to comply with both the Data Protection Act 1988 and the Commissioners code of practice.
- 1.5. The owners, users and any visitors to the control, monitoring and recording facilities will be required to sign a formal confidentiality declaration. They will treat any viewed and/or written material as being strictly confidential and will undertake not to divulge it to any other person.
- 1.6. Those who have authorised access Compliance and Facilities Management Officer, Customer Head of service and business support, are aware of the purpose(s) for which the scheme has been established and that the CCTV equipment is only used to achieve the identified purposes which are:
 - a. To contribute to the provision of a safe and secure environment for the benefit of those employed, visiting or using the Municipal Offices
 - b. To protect the Council's building and assets
 - c. To assist in identifying, apprehending and prosecuting offenders
 - d. To assist in the general day to day management of the facility

1.7. Scheme and Signage

- 1.8. This scheme aims to provide surveillance of the public areas within the Municipal Offices, Cheltenham, in order to fulfil the purposes of the scheme as listed above. The area protected by CCTV will be indicated by the presence of signs. The signs will be placed so that the public are aware that they are entering a zone which is covered by surveillance equipment. The signs will state the Cheltenham Borough Council as being the organisation responsible for the scheme, and a contact telephone number (01242 262626).
- 1.9. Data will not be held for longer than necessary and disposal of information will be regulated by the Customer and Support Services Manager. The disposal of records happens as part of a managed process and is adequately documented within the service document retention schedule.

1.10. Point of contact

- 1.11. All enquiries for further information about the system should be addressed to:

The Compliance & Facilities Management Officer
Cheltenham Borough Council
Promenade
Cheltenham
GL50 9SA

Tel: 01242 262626 (07785447207)
Email: property@cheltenham.gov.uk

1.12. Release of information (subject access)

1.13. Individuals may request to view information concerning them held on record in accordance with the Data Protection Act 1998. Any request from an individual for the disclosure of personal data which he/she believes is recorded by virtue of the system will be directed in the first instance to the Customer Relations Manager. They will be required to request any information with reasons in writing and must be able to satisfactorily prove their identity and provide sufficient information to enable the data to be located.

1.14. Information will be released if the reasons are deemed acceptable, the request and release of information complies with current legislation and on condition that the information is not used for any other purpose than that specified.

1.15. The information may not be released if disclosure to the data subject would prejudice the criminal enquiries or criminal proceedings.

1.16. Information on how to obtain an application form can be found on Cheltenham Borough Council web site www.cheltenham.gov.uk or by writing to Customer Relations.

1.17. Access to data by third parties and statutory prosecuting bodies

1.18. Access to images by third parties will only be allowed in limited and prescribed circumstances. Disclosure will be limited to the following:-

- Law enforcement agencies where the images recorded would assist in a specific criminal enquiry
- Prosecution agencies
- Legal representatives.

1.19. The media, where it is assessed by the Police that the public's assistance is needed in order to assist in the identification of victim, witness or perpetrator in relation to a criminal incident. As part of that assessment the wishes of the victim of an incident should be taken into account.

1.20. The policy is to assist statutory prosecuting bodies such as the Police, and statutory authorities with powers to prosecute and facilitate the legitimate use of the information derived from the scheme.

1.21. Statutory bodies may have access to information permitted for disclosure on application to the owner of the scheme (Senior Building Service Surveyor) or (Customer and Support Services Manager), these applications must be in writing and provide the reasons and statement of purpose, according with the objectives of the scheme and conditions outlined above.

1.22. The information will be treated as evidential exhibits.

1.23. System Registration

1.24. All Council systems are registered with the Information Commissioner's Office (ICO)

1.25. Accountability

- 1.26. Cheltenham Borough Council supports the principle that the community at large should be satisfied that the Public CCTV systems are being used, managed and controlled in a responsible and accountable manner and that in order to meet this objective there will be independent assessment and scrutiny.
- 1.27. A member of the public wishing to make a complaint about the system may do so through the Cheltenham Borough Council complaints procedure and by contacting The Customer Relations Manager.
- 1.28. A copy of the Code of Practice will be made available to anyone on request by contacting the CCTV system owner (Senior Building Service Surveyor) or System Manager Compliance & Facilities Management Officer.

1.29. CCTV Control Management and Operation

- 1.30. Access to the monitoring and recording area is restricted.
- 1.31. Only those persons with a legitimate purpose will be permitted access to the Control, Recording and Monitoring system.
- 1.32. The Compliance & Facilities Management Officer or in his/her absence the Senior Building Service Surveyor, is authorised to determine who has access to the monitoring area. This will normally be:
- Authorised Personnel (including Council Representatives)
 - Police officers requiring to view a particular incident, or intelligence or evidential purposes. These visits will take place by prior appointment.
 - Engineers and cleaning staff (These people will receive supervision throughout their visit)
- 1.33. Inspectors/Auditors may visit the monitoring and recording facility without prior appointment.
- 1.34. Organised visits by authorised persons are to be conducted in controlled circumstances. All visitors to the monitoring and recording area, including Police Officers, will be required to sign a visitors log and a declaration of confidentiality.

1.35. Observation and recording of incidents

- 1.36. Recording will be throughout a 24 hour period. The system will be monitored on the basis of operational necessity. Images will be held for approximately 14 days and they will then be over recorded.

1.37. Privacy and Disclosure Issues

- 1.38. Cameras will not be used to infringe individual's rights of privacy.
- 1.39. All employees will be aware of the restrictions set out in this Code of Practice in relation to access to, and disclosure of, recorded images
- 1.40. Images not required for the purposes of the scheme will not be retained longer than necessary
- 1.41. The Duty Manager will only disclose to third parties who intend processing the data for purposes which are deemed compatible with the objectives of the CCTV system

- 1.42. Monitors displaying images from areas in which individuals would have an expectation of privacy will not be viewed by anyone other than authorised persons.
- 1.43. Recorded material will only be used for the purposes defined in the objectives of this policy
- 1.44. Access to recorded material will be in accordance with policy and procedures
- 1.45. Information will not be disclosed for commercial purposes and entertainment purposes
- 1.46. All access to the medium on which the images are recorded will be documented
- 1.47. Access to recorded images will be restricted to those staff who need to have access in order to achieve the purpose(s) of using the equipment
- 1.48. Viewing of the recorded images should take place in a restricted area.
- 1.49. Access to recorded images**
- 1.50. Access to recorded images will be restricted to the Head of customer service & business support or other designated member of staff who will decide whether to allow requests for access by third parties in accordance with the disclosure policy. Those requests must be in writing.
- 1.51. Monitoring employees**
- 1.52. As the Municipal Offices CCTV is located in a workplace it inevitably captures pictures of employees, even if they are not the main subject of surveillance. The purpose of the CCTV is not to monitor the amount of work done nor compliance with company procedures. However, if there is a breach in Council procedures then CCTV footage can be used for reference purposes.
- 1.53. The overt monitoring of any employee using CCTV can only be done with the consent of the Director and after consultation with HR.
- 1.54. The covert monitoring of employees **must not take place** unless it has been specifically authorised in advance using the codes of practice, guidance and procedures under The Regulation of Investigatory Powers Act 2000. There is no covert monitoring that takes place on this site.
- 1.55. Recorded Material Management**
- 1.56. Images, that are not required for the purpose(s) for which the equipment is being used will not be retained for longer than is necessary. The detail as to how long data should be held will be defined within the service retention schedule. While images are retained access to and security of the images will be controlled in accordance with the requirements of the Data Protection Act.
- 1.57. Recorded material should be of high quality. In order for recorded material to be admissible in evidence total integrity and continuity must be maintained at all times.
- 1.58. Security measures will be taken to prevent unauthorised access to, alteration, disclosure, accidental loss or destruction of recorded material.
- 1.59. Recorded material will not be released to organisations outside the ownership of the system other than for training purposes or under the guidelines referred to previously.

- 1.60. Images retained for evidential purposes will be retained in a secure place where access is controlled – safe in the strong room.
- 1.61. The system records features such as the location of the camera and/or date and time reference.
- 1.62. In order to ensure that clear images are recorded at all times the equipment for making recordings will be maintained in good working order with regular servicing in accordance with the manufacturer's instructions.

1.63. Recorded Material Register

- 1.64. There will be a register documenting the access to recorded media.

1.65. Documentation

- 1.66. Log books must be sequential in order that pages or entries cannot be removed and full and accurate records kept.
- 1.67. Administrative documents

The following shall be maintained:

- Media tracking register
- occurrence/incident book
- visitors register
- maintenance of equipment, whether routine or breakdown
- list of installed equipment