

## **Leisure @ Cheltenham - Code of practice for CCTV Usage**

### **1.1. Management of the scheme**

- 1.2. A risk assessment has been carried out to assess the need and requirements of CCTV systems within Leisure @ Cheltenham and its associated facilities. The 16 cameras have been sited to capture images which are relevant to the purposes for which Leisure @ Cheltenham and its facilities have been established. This risk assessment is reviewed on an annual basis by the General Manager / Operations Manager.
- 1.3. 16 Cameras covering all major entrance / exits and cash handling areas of the centre have been sited to capture images which are relevant to the purpose for which Leisure @ Cheltenham has been established.
- 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. Leisure@ Cheltenham 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 (General Manager, Senior Managers, Duty Managers) 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 ensure personal safety of public and staff
  - (b) To protect the Council buildings and their assets
  - (c) To support the Police
  - (d) To assist in identifying, apprehending and prosecuting offenders
  - (e) To protect members of the public and private property
  - (f) To assist in managing the facility

### **1.7. Scheme and Signage**

- 1.8. This scheme aims to provide surveillance of the public areas within Leisure @ 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 organization responsible for the scheme (Leisure @ Cheltenham), the purposes of the scheme (Crime prevention and public safety) and a contact telephone number (01242 528764)
- 1.9. Data will not be held for longer than necessary and disposal of information will be regulated by the Operations 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. The Code of Practice for Leisure @ Cheltenham informs the public on how to make contact with the owners of the scheme (Leisure @ Cheltenham) and for additional information write to: Operations Manager

### **1.12. Release of information to the public**

- 1.13. Information will be released to third parties; The Police or any other authorised organisation, who can show legitimate reasons for access. They will be required to request any information with reasons in writing and identify themselves.
- 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. Individuals may request to view information concerning them held on record in accordance with the Data Protection Act 1998.
- 1.16. Information on how to obtain an application form can be found on Cheltenham Borough Council web site [www.cheltenham.gov.uk](http://www.cheltenham.gov.uk) or by writing to Customer Relations. (Please see appendix C for a copy of the form)

### **1.17. Release of information to statutory prosecuting bodies**

- 1.18. 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.
- 1.19. Statutory bodies may have access to information permitted for disclosure on application to the owner of the scheme or the manager (Stephen Petherick), 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.
- 1.20. The information will be treated as evidential exhibits.

### **1.21. System Registration**

- 1.22. All Council systems must be registered with the Information Commissioner's Office (ICO) and it is the responsibility of service managers to ensure that these are kept up to date. Any amendments to the scheme that result in the need to update the ICO register must be forwarded to the Customer Relations Team.

### **1.23. Accountability**

- 1.24. Leisure @ Cheltenham and Cheltenham Borough Council support 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.
- 1.25. A member of the public wishing to make a complaint about the system may do so through the Cheltenham Borough Council complaints procedure or contacting Leisure @ Cheltenham directly by writing to the General Manager.
- 1.26. A copy of the Code of Practice will be made available to anyone on request by contacting the CCTV system owner (General Manager or Operations Manager)

### **1.27. CCTV Control Management And Operation**

- 1.28. Access to the monitoring and recording areas will be strictly controlled by the Duty Manager on site.
- 1.29. Only those persons with a legitimate purpose will be permitted access to the Control, Recording and Monitoring system.

1.30. The system Manager (Operations Manager) or in his/her absence the Duty Manager, 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)

1.31. Inspectors/Auditors may visit the monitoring and recording facility without prior appointment.

1.32. 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.

### **1.33. Observation and recording of incidents**

1.34. Recording will be throughout a 24 hour period. The system will be monitored on the basis of operational necessity. Images will be held for 7 days and then over recorded.

### **1.35. Privacy And Disclosure Issues**

1.36. Cameras will not be used to infringe individual's rights of privacy. The cameras are sited where they will not be capable of viewing any private areas.

1.37. The following principles must be adhered to:

1.38. 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

1.39. Images not required for the purposes of the scheme will not be retained longer than necessary

1.40. 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

1.41. Monitors displaying images from areas in which individuals would have an expectation of privacy will not be viewed by anyone other than authorised persons.

1.42. Recorded material will only be used for the purposes defined in the objectives of this policy

1.43. Access to recorded material will be in accordance with policy and procedures

1.44. Information will not be disclosed for commercial purposes and entertainment purposes

1.45. All access to the medium on which the images are recorded will be documented

1.46. 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

1.47. Viewing of the recorded images should, where possible take place in a restricted area (control room)

#### **1.48. Access to recorded images**

1.49. Access to recorded images will be restricted to the General / Operations Manager or 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.

#### **1.50. Monitoring employees**

1.51. When you install CCTV in a workplace, such as an office, it is likely to capture pictures of employees, even if they are not the main subject of surveillance. If the purpose of the CCTV is solely to prevent and detect crime, then you should not use it for monitoring the amount of work done or compliance with company procedures. If there is a breach in Council / Site procedures then this can be used for reference / evidence purposes.

1.52. You may get requests to disclose information captured by the CCTV system from employees or HR GoSS because of on-going disciplinary action, disclosure should only be made if this is consistent with the registered purpose for the system.

1.53. In some cases, it may be appropriate to install CCTV specifically for workforce monitoring. You should go through the decision making process in [section 4 of the Information Commissioners code](#), take advice from HR GoSS and consider whether it is justified. In particular, consider whether better training or greater supervision would be a more appropriate solution

1.54. The overt monitoring of any employee using CCTV can only be done with the consent of the Director and after consultation with HR GoSS

1.55. 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.

#### **1.56. Access to data by third parties**

1.57. 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.

1.58. 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.

1.59. The people whose images have been recorded and retained (Data Subject) unless disclosure to an individual would prejudice the criminal enquiries or criminal proceedings.

#### **1.60. Recorded Material Management**

1.61. Images, that are not required for the purpose(s) for which the equipment is being used will not be retained for no 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.

- 1.62. 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.
- 1.63. Security measures will be taken to prevent unauthorised access to, alteration, disclosure, accidental loss or destruction of recorded material.
- 1.64. 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.
- 1.65. Images retained for evidential purposes will be retained in a secure place where access is controlled – safe in control room, or locked cupboard in the management office.
- 1.66. The system records features such as the location of the camera and/or date and time reference.
- 1.67. 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.

**1.68. Recorded Material Register**

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

**1.70. Documentation**

- 1.71. Log books must be sequential in order that pages or entries cannot be removed and full and accurate records kept.
- 1.72. 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

## **Action Plan**

Task	Action	Completed
Disposal of Records	Design a disposal of records log sheet for CCTV	12/02/14
Check if system is registered	Contact the customer relations team	As soon as CoP has been produced Karen Watson will then add to register
Visitors log to control room and CCTV	Create visitor log book and declaration of confidentiality	12/02/14
Access to images	Record and create file	12/02/14
Service level document retention	Need to confirm with BP timescales	Rang 12/02/14 but on holiday for one week.