

# Camera Code of Practice

Blackpool Council



# Camera Code of Practice

---

## Contents

1	DEFINITIONS .....	4
2	INTRODUCTION.....	6
2.1	General background .....	6
2.2	Purpose of this Code of Practice.....	6
2.3	Scope of this Code of Practice .....	7
2.4	Acknowledgements .....	7
3	BLACKPOOL COUNCIL CCTV.....	8
3.1	Statement of Purpose.....	8
3.2	Key Objectives .....	8
3.3	Blackpool Council – Data Protection Registration.....	9
4	DECIDING WHEN SURVEILLANCE CAMERA SYSTEMS SHOULD BE USED.....	9
5	GOVERNANCE .....	11
5.1	Ensuring effective administration .....	11
5.2	Defining our procedures.....	11
5.3	Looking after the recorded images and information, and using these .....	12
5.3.1	Storing of CCTV information .....	12
5.3.2	Retention .....	12
5.3.3	Viewing CCTV information.....	13
5.3.4	Disclosure.....	13
5.3.5	Subject Access Requests.....	14
5.3.6	Freedom of Information Requests .....	15
5.3.7	RIPA Requests .....	15
5.4	Staying in control.....	15
6	SELECTING AND SITING CAMERAS.....	16
7	OTHER TECHNOLOGIES.....	17
7.1	Body Worn Video (BWV) .....	17
7.2	Automatic Number Plate Recognition (ANPR) .....	18

# Camera Code of Practice

---

7.3	Stand-alone CCTV .....	18
7.4	Rapid Deployment Cameras (RDC) .....	19
7.5	CCTV Vehicle .....	19
7.6	Vehicle Cameras .....	19
7.7	Traffic Monitoring Cameras .....	20
8	USING THE EQUIPMENT .....	20
9	RESPONSIBILITIES.....	21
9.1	Letting others know.....	21
9.2	Signs on the roads .....	21
9.3	Other responsibilities .....	21
	APPENDIX 1.....	23
	APPENDIX 2.....	24
	APPENDIX 3.....	26
	APPENDIX 4.....	28
	APPENDIX 5.....	30

# Camera Code of Practice

---

## 1 DEFINITIONS

In this Code of Practice the following definitions are used:

ANPR	Automated Number Plate Recognition or Automatic Number Plate Recognition.
BWV	Body Worn Video. Cameras worn by certain staff to capture images on as and when required. Also known as Body Camera or Body Cam.
CCTV	Closed Circuit Television.
Covert Surveillance	Means any use of surveillance cameras for which RIPA is required. For example, to obtain images as part of a specific investigation in exceptional and justifiable circumstances.
DPA	The Data Protection Act 2018.
DPIA	Data Protection Impact Assessment
DVR	Digital Video Recorder
FOI	The Freedom of Information Act 2000.
GDPR	General Data Protection Regulation (EU legislation)
HRA	The Human Rights Act 1998.
ICO	Information Commissioner's Office
LED	Law Enforcement Directive (EU legislation)
Overt Surveillance	Means any use of surveillance cameras for which authority does not fall under RIPA.
POFA	The Protection of Freedoms Act 2012.
Public Place	Is taken to mean any highway and any place that the public has access to, as a right or with permission.
RDC	Rapid Deployment Cameras
RIPA	The Regulation of Investigatory Powers Act 2000.

## Camera Code of Practice

---

Stand-alone System	Means a CCTV system that is not connected to the wider Council network or controlled through the main CCTV Control Room.
Surveillance Camera System	<p>Is taken to include (a) CCTV or ANPR systems; (b) any other system for recording or viewing images; (c) any system for storing, receiving, transmitting, processing or checking images or information obtained by systems.</p> <p>This excludes systems used under Section 20 of the Road Traffic Offenders Act 1988. For example the use of cameras for speed enforcement.</p>
System Operator	The person(s) who take the decision to deploy a surveillance camera system; are responsible for defining its purpose; are responsible for the control of its use or processing images or other information obtained via the system.
System User	This is the person(s) who may be part of the team (employed, partner agency or authorised volunteers) that has access to the live or recorded images or other information obtained from the systems.

# Camera Code of Practice

---

## 2 INTRODUCTION

### 2.1 General background

CCTV surveillance has become a common feature of our daily lives. We are caught on numerous CCTV cameras as we move around our towns and cities, visit shops and offices, and travel on the road and other parts of the public transport network. Blackpool Council believes that the use of CCTV continues to enjoy general public support, but it necessarily involves intrusion into the lives of ordinary individuals as they go about their day to day business.

Changes in legal and technological developments mean that CCTV has moved away from being a camera on a pole recording town centre images to more sophisticated digital systems that are increasingly becoming more portable. The use of Automatic Number Plate Recognition (ANPR) is now commonplace and where appropriate, some services within Blackpool Council use body worn cameras. Modern systems are no longer passive technology that only records and retains images only used to keep people safe, but are now used proactively to identify people and keep detailed records of activities. The Council recognises that this use of cameras for surveillance can cause the public concern and takes steps to ensure that the use for surveillance is appropriate and legal.

---

### 2.2 Purpose of this Code of Practice

This Code of Practice uses the term “CCTV” to refer to all forms of surveillance camera systems as this is the term most widely known by the public.

Blackpool Council believes that the public expect CCTV to be used responsibly with effective safeguards in place to maintain public trust and confidence in its use. The Council is committed to upholding the principles of the Data Protection Act 2018 (DPA), the General Data Protection Regulation (GDPR), the Law Enforcement Directive (LED) and all relevant legislation and regulations to ensure that the use of its CCTV systems does not unjustifiably infringe the rights of individuals. With this in mind, the Council has issued this overarching Camera Code of Practice.

The objective of this Code of Practice is to help ensure good practice standards are adopted by Blackpool Council for its CCTV Systems. It provides good practice advice for the Council’s operation of CCTV and other devices which record or provide viewing of images of individuals, and is designed to give a general overview of relevant policies and statements. Policies or guidance that relate to more specific types of CCTV are available as appendices to this overarching Code of Practice and may be published on the Council website.

The images or information of individuals captured by CCTV is covered by the DPA and GDPR, and the guidance contained in this Code of Practice will help those involved with CCTV and its operation, to comply with their legal obligations under these laws. It will also help compliance with the wider legislative and regulatory environment, including the organisational obligations under the Freedom of Information Act 2000 (FOI), the Human Rights Act 1998 (HRA), the Protection of Freedoms Act 2012 (POFA), and the use of the CCTV system for surveillance.

# Camera Code of Practice

---

To that end, this Code of Practice has been based on the legally enforceable data protection principles outlined in Appendix 1, and has been set out to follow the lifecycle and practical operation of the CCTV system.

By following this Code of Practice, Blackpool Council will:

- Help ensure that those working with the system to capture the image or information of an individual will comply with the relevant legislation and the wider regulations;
  - Mean that the information captured is usable and can meet the objectives of any CCTV system operated by the Council;
  - Reduce reputational risks by working within the law and avoiding regulatory action or penalties;
  - Reassure those whose image or information is being captured by the system;
  - Help to generate the wider public trust and confidence in the use of CCTV.
- 

## 2.3 Scope of this Code of Practice

This Code of Practice covers the use of Town Centre CCTV by Blackpool Council together with any other council owned systems that capture images of individuals, or information that could lead to the identification of an individual on the following camera related surveillance equipment including (but not an exhaustive list):

- Town Centre System;
- Automatic Number Plate Recognition (ANPR);
- Body Worn Video (BWV);
- Stand-alone systems in Council offices or at council assets such as Libraries or Car Parks;
- Rapid Deployment cameras (or Re-Deployable Cameras) (RDC);
- Cameras in Council owned vehicles;
- Cameras used to assist in traffic flow management and maintaining highways;
- CCTV Vehicle.

This Code of Practice also covers the use of images or information captured by the Blackpool CCTV systems when they are provided to the media.

---

## 2.4 Acknowledgements

Blackpool Council wishes to acknowledge the Information Commissioner's CCTV Code of Practice, and the Home Office Surveillance Camera Code of Practice which have been referred to in the development of this Code of Practice.

---



# Camera Code of Practice

---

## 3 BLACKPOOL COUNCIL CCTV

### 3.1 Statement of Purpose

The overarching purpose of the Camera systems operated by Blackpool Council is to assist with making Blackpool a safe environment for its residents, visitors and the business community.

The following are the purposes that Blackpool Council has identified for the operation of the different types of CCTV:

- A reduction in the fear of crime and violence, and provide reassurance to the public;
- To support public safety and help secure safer areas in which to work, live, shop and play;
- To assure visitors to Blackpool that the town centre, car parks and other areas covered by CCTV cameras provide a safe and secure area to visit;
- To support the safe working environment for Council employees and the Council's elected members;
- To deter, prevent, detect, and investigate crime in the areas covered by CCTV cameras including:
  - providing assistance in the prevention of crime
  - deterring and detecting crime
  - helping to identify, apprehend and prosecute offenders
  - providing the Police and the Council with evidence to take criminal and civil action in the Courts
  - the maintenance of public order
  - control of begging, vandalism and antisocial behaviour
  - crowd control and disorder where appropriate;
- To assist with town centre management;
- To assist and support the management and flow of traffic within the boundaries of Blackpool and its car parks;
- To support the economic well-being of Blackpool and Blackpool town centre;
- Surveillance where this is authorised and appropriate;
- To assist in detecting acts of terrorism in Blackpool;
- To support national security;
- To assist the Police and Civil Authorities in the event of a major civil emergency in the area covered by the system.

---

### 3.2 Key Objectives

Key objectives of CCTV are:

- To improve the perception of the public in respect of the safety of the town centre;
- To help reduce the amount of crime, including vehicle crime and shoplifting;



# Camera Code of Practice

---

- To help reduce the number and type of antisocial street activities, e.g. flyposting, begging, illegal street trading, vandalism, drunken behaviour;
  - To support a better detection of crime in areas covered by CCTV cameras and provide evidential material for any subsequent prosecution in court;
  - To assist in traffic management (this excludes speed cameras);
  - To assist the Council in its enforcement and regulatory functions within Blackpool;
  - To improve general security within Council, both in terms of personal security and security of the buildings and assets;
  - To improve general security in the main retail streets, both in terms of personal security and security of buildings and premises;
  - To assist in making the town and town centre a more attractive place in which to work, shop and play;
  - To assist with visitor economy e.g. lost children, the management of major events held within the town;
  - To maintain the basic fundamentals of an individual's right to privacy, dress and reasonable behaviour.
- 

### 3.3 Blackpool Council – Data Protection Registration

Blackpool Council is obliged to comply with the General Data Protection Regulation and Data Protection Act 2018, and is registered with the Information Commissioner's Office as it handles personal data, including images and information captured by CCTV.

The registration number is Z5720508

---

## 4 DECIDING WHEN SURVEILLANCE CAMERA SYSTEMS SHOULD BE USED

Blackpool Council is aware that using CCTV has the potential to be intrusive on an individual's privacy and therefore we carefully consider the use of the different types of systems available before deploying or using these.

We recognise that the use of CCTV is a valuable tool in the management of public safety and security, in the protection of people and property, in the prevention and investigation of crime, and in bringing crimes to justice.

Just because it is possible, affordable or there is public support, these are not the only justifications for capturing images. These images are classed as personal data, and there are obligations for processing such personal data. We will take into account the nature of the problem we are trying to address, the effect it will have on individuals and, whether it is a justified and proportionate response. There are sometimes alternatives which can be used.

For example, Cars in a car park are frequently damaged and broken in to at night. We could consider whether improved lighting would reduce the problem more effectively than CCTV.

# Camera Code of Practice

---

The Council will consider the expectations of individuals which will vary for different locations. For example, in a town centre, there is generally an expectation that CCTV will be in use, whilst in a Council office reception individuals may have an expectation that CCTV will be in used within the reception area only. We need to consider what is necessary and what safeguards we can put in place.

To assist our decision making processes, we will undertake an assessment of the relevant CCTV on an individual's privacy through a Data Protection Impact Assessment (DPIA). This assessment enables us to consider the wider context as well as the legislation, and whether the CCTV impacts on fairness under the first data protection principle.

To summarise, the type of questions that the Council will cover in the Data Protection Impact Assessment are:

- What we would be using the images for?
- Who will take legal responsibility under the legislation?
- What is the purpose for using the CCTV?
- What are the actual problems it is meant to address?
- What are the benefits to be gained from using CCTV?
- Are there any other solutions that could be used to achieve the required benefit?
- Do we need to capture specific images of individuals or general images of a location or event?
- What are the potential demands for wider use of the images and how will we respond to these?
- Is it appropriate to consider the views of those who will be under surveillance and if so, what are their views?
- Are there any risks involved in obtaining, holding, viewing or where appropriate, disclosing the images captured?
- What can we do to minimise any intrusion on an individual's privacy?
- Is it necessary to consult with partners and other agencies and if so, who?

Once CCTV is in use, we will regularly evaluate the continuing use of the particular system to determine if it is still necessary.

To ensure that the system is established on a proper legal basis and operated in accordance with the law, the Council will adhere to the data protection principles (Appendix 1), and will adopt the guiding principles contained within the Home Office's Surveillance Camera Code of Practice (Appendix 2).

---

# Camera Code of Practice

---

## 5 GOVERNANCE

### 5.1 Ensuring effective administration

Blackpool Council is committed to establishing a clear basis for handling images and information obtained from CCTV. The Council is the System Operator and 'owner' for CCTV, and is the data controller as defined in the DPA and GDPR. We have the responsibility for making decisions and are legally responsible for compliance with the DPA and GDPR.

Note: The day-to-day operation of the Town Centre CCTV is in partnership with Blackpool Bid and Lancashire Constabulary.

We will detail who has the day-to-day responsibility for the control of the images recorded from all CCTV, including deciding what is recorded, how it should be used and who can have access to this (directly or via a disclosure).

For some of the CCTV, more than one organisation will be involved

For example: The Council may provide a 'live feed' to the Lancashire Constabulary Control Room, particularly when this relates to an ongoing incident.

As we are the CCTV 'owner' (and System Operator), where there is more than one organisation involved, as for the Town Centre CCTV, the Council will ensure that we all know our responsibilities and obligations, and will:

- Determine who has responsibility for the control of the images and making the decisions on how they can be used once 'shared';
- Ensure that anyone they agree to regularly share the images with for a legitimate purpose is registered with the Information Commissioner's Office;
- Enter into a suitable written agreement or contract that defines how information will be transferred, includes guarantees about storage and security of the images and all staff are properly trained.

If the Council enters into a contract with another organisation or company to assist with processing the images, for example, if they need to be edited or blurred before disclosure, this contract will include specific instructions on the processing, define responsibilities, require audits or inspections to ensure compliance, and detail an appropriately named individual for the contract.

---

### 5.2 Defining our procedures

The Council will define clear procedures to assist in the use of CCTV on a day-to-day basis. For each different type of CCTV in use, we will define specific procedures and these will be appended to this Code of Practice or published on our website. These will be reviewed regularly to ensure that they meet the following:

# Camera Code of Practice

---

- There are clearly defined and specified purposes for the capture and use of the images and information, and these have been communicated to the System Users;
- There are documented procedures for how the images and information should be handled;
- They include guidance on disclosures and how to keep suitable records, as well as ensuring that the disclosure is made to an appropriate person;
- There is a named Council employee responsible for ensuring that the standards set for compliance with this Code of Practice and legal obligations, as well as the defined and documented procedures, are followed by all;
- They include a requirement to undertake regular checks and audits, and these checks and audits are recorded.

We will ensure that we take into account any other regulatory guidance or rules, particularly those issued by the Information Commissioner's Office (ICO) or the Surveillance Camera Commissioner's Office.

---

## 5.3 Looking after the recorded images and information, and using these

### 5.3.1 Storing of CCTV information

Blackpool Council will store any images captured in a way that maintains the integrity of this information and in line with nationally recognised standards.

Nowadays, the storage is digital, and is held on secure DVRs (Digital Video Recorders) and secure electronic storage devices. Where it is technically possible, these are encrypted. These storage devices are located within Council buildings or assets with restricted access to both the physical building and the storage device. The Council takes all reasonable steps to prevent unauthorised access to images and information.

As the Council's CCTV includes different types of equipment including mobile or Rapid Deployment devices, we are required to download and store images captured by these devices. When the images are downloaded from such devices, they are stored on encrypted electronic storage.

### 5.3.2 Retention

Generally, the Council will retain CCTV images and information for one month from the date it was captured, unless it is required for evidence. Where this differs due to the nature of the type of CCTV, we will specify this in the individual procedures. For all types of CCTV, once this retention period has passed, it will be deleted, either automatically via appropriate settings on the CCTV system, or manually where automation is not possible.

Information about retention is detailed in the [Corporate Retention Schedule](#) which is published on the Council website.

# Camera Code of Practice

---

## 5.3.3 Viewing CCTV information

Unlike previous CCTV which recorded to video tapes which could be easily provided to law enforcement agencies or others, the modern CCTV relies on digital recording. Therefore, when images are required for evidentiary or law enforcement purposes, there will be agreed procedures for provision of these (usually by CD/DVD or secure transfer) and an audit trail will be maintained.

When agreeing the procedures, the Council will consider:

- How the copies can be made from the CCTV recording and whether this can be done whilst the CCTV is still in operation i.e. whilst still recording other images;
- If the format it can be provided in is suitable for the purpose it is required for, and is of a suitable quality;
- How the copy will be viewed? Will it require additional viewing software?

General operational viewing of the images and information, i.e. live or real-time viewing, will be managed securely within the council buildings or assets, and will require dedicated software to facilitate viewing directly from the system. It will be restricted to the System Users and where appropriate, other authorised persons.

Viewing monitors will not be placed in locations which can be viewed by the public.

Where CCTV is in operation in areas where there is a higher expectation of privacy, the viewing will be restricted to the System Users or authorised persons such as the Police. Where there is the additional factor of CCTV being located in an area that is particularly sensitive, live or real-time viewing will not be standard. In these circumstances, the Council considers that viewing after an incident has occurred will be more appropriate.

## 5.3.4 Disclosure

Disclosure of information from the Council's CCTV will be controlled and in line with the purposes that we have specified for its use.

For example, where we have implemented a CCTV system to help prevent and detect crime, it will be appropriate to disclose images and information to law enforcement agencies such as the Police, but it will not be appropriate for use to disclose the images to the media for entertainment purposes, or to upload these to the internet for entertainment.

That being said, even if we have implemented CCTV for other purposes, it may still be appropriate to disclose images to law enforcement agencies or the Police if failure in disclosing the images would be likely to prejudice the actions of such agencies to prevent or detect crime.

We will work with the media on disclosing images or information where it is necessary to aid identification of individuals, particularly for the detection of crime, but we will only do this in conjunction with the Police.

# Camera Code of Practice

---

We will consider any other requests for disclosure of images or information with care as it may be unfair to individuals to disclose their images. Where their images may have to be released to a 'third party' we will consider if the disclosure to this third party outweighs protecting the individual.

Any judgement about disclosure will be made by Blackpool Council as the data controller for CCTV. We do have the discretion to refuse requests unless there is an obligation to disclose in law through information access rights such as Subject Access Rights [see 5.3.5] or Freedom of Information [see 5.3.6], or following a court order.

Once we have disclosed images or information to another, such as the Police, they will become the data controller for their copy. It is then their responsibility to comply with all relevant legislation to keep this copy safe and secure.

## 5.3.5 Subject Access Requests

Individuals whose images and information are recorded by CCTV have a right under the DPA and GDPR, to be provided with a copy of this. This is known as a Right of Access or, more commonly a Subject Access Request or SAR.

The Council must provide the information promptly and within a maximum of 1 month from the date of receipt of the request. We will endeavour to respond promptly, and if the information would be routinely deleted during the maximum 1 month period, we will take steps to secure the information to ensure it is not deleted whilst we are processing the request. If the request is deemed to be complex, we will inform the applicant and may extend the timescale up to an additional 2 months.

The Council has published information on Subject Access Requests on its website and has made a form available which can make the request application easier. Irrespective of how the request is submitted, it does require assistance from the individual making the request as they will need to provide sufficient information to be able to identify them, together with information on date and time to narrow the search. We will usually restrict any search to the specific times provided, however we will not undertake a search for any period longer than 2 hours. We will also require proof of identity and address.

If the personal images or information requested includes another individual (a third party), we will consider whether we need to edit or blur (obscure) the third party images, especially if they appear to intrude on their privacy or is likely to cause unwarranted harm or distress.

Examples where editing may or may not apply are:

- ✓ People entering an office or reception are more likely to have a higher expectation of privacy and confidentiality and the images of another third party will need to be edited or blurred before disclosure.
- ✗ The images of a group of friends waving at a town centre camera can be released to one of the group if they request this, without editing or blurring their friend's images as they have a lower expectation

## Camera Code of Practice

---

of privacy. The reason is that their actions indicate that they knew the camera was there and they are in a public space.

In summary, the Council will ensure that all Subject Access Requests are handled in line with its own procedures and that these comply with the legislation.

### 5.3.6 Freedom of Information Requests

As a public authority, Blackpool Council is required to comply with requests for information submitted under the Freedom of Information Act (FOI).

We have members of staff trained to handle and respond FOI requests who understand the Council's responsibilities to respond within the legislated timescale of 20 working days from receipt of the request.

For the CCTV Service, the majority of FOI requests are for an individual's image captured by the CCTV System. These can fall into two categories and are considered in conjunction with Section 40 of the FOI:

- If the images or information is the personal data of the person making the request, then it is exempt from FOI and will be treated as a Subject Access Request;
- If the images or information are personal data of another person, a third party, then this will only be disclosed if this would not breach the data protection principles.

In these instances, the Council will consider if disclosure is appropriate but it is generally unlikely that others images will be disclosed as this would mean that the images could then be used for any purpose and this would be outside the registered purpose of the CCTV and the individual's expectations.

All other requests, for example, where a person asks about the costs of the CCTV or the operation of it, will be dealt with under FOI. Disclosure will be subject to any exemptions that may apply.

### 5.3.7 RIPA Requests

From time to time, the council will receive a request that has been authorised under the Regulation of Investigatory Powers Act (RIPA). These requests will specify specific circumstances and locations for a camera to be positioned to capture images or information, and may be covert.

We will ensure that any such request is in writing and has the appropriate level of authority for the specified recording and subsequent disclosure. An audit record of all such requests will be maintained.

---

## 5.4 Staying in control

To ensure compliance with legislation and the requirements of the both the ICO's CCTV Code of Practice and Home Office's Surveillance Camera Code of Practice, Blackpool Council will:



# Camera Code of Practice

---

- Tell people how they can make a subject access request;
- Make this Code of Practice available to the public;
- Tell them how to complain about the operation of CCTV.

Employees and system users that use and operate the CCTV will be trained to ensure they comply with this Code of Practice. They will know:

- The Council's policies for recording and retaining images and information captured by CCTV;
- How to handle the information securely;
- What to do if they receive a request for information (FOI), or a request from the Police;
- How to recognise and handle a Subject Access Request.

We will ensure that images and information will be protected, including technical, organisational and physical security measures to assist with this. Such measures include:

- Protect any wireless transmissions to safeguard it from interception;
- Apply software updates to the CCTV when necessary;
- Restrict who can make copies of information;
- Ensure that the deletion process is effective and adhered to;
- Secure the control room and the facilities where the information is stored digitally;
- Train those using the CCTV in security procedures and sanction those who misuse the CCTV;
- Ensure those using and operating CCTV are aware that they could be committing a criminal offence if they misuse the CCTV.

There will be a regular review of procedures and processes to maintain the defined standards. There will also be regular reviews of the various CCTV systems which will assist the Council's compliance with legislation.

---

## 6 SELECTING AND SITING CAMERAS

The CCTV implemented by Blackpool Council will be approved to meet the purpose for which it is being used. Consequently, the images or information captured will be adequate for the purposes specified.

Where CCTV is permanently installed, such as the Town Centre CCTV, this will be in all-weather domes or cases and will not be installed in a covert manner.

In selecting CCTV equipment we will use the most appropriate for the situation. Many cameras now record in full colour and some can automatically switch to monochrome in low light conditions. For the Town Centre CCTV, we will use both fixed cameras and those that have pan, tilt and zoom facilities.

# Camera Code of Practice

---

The locations in Blackpool for the permanent and, rapid deployment or re-deployable camera equipment will be chosen to achieve the purpose, and restrict the capture of images of areas that are not of interest or intended to be the subject of the surveillance.

For areas where there is a greater expectation of privacy, for example, in changing rooms, we will only temporarily use cameras in exceptional circumstances where it is necessary to deal with the most serious concerns. Without prejudicing any investigations, we will make every effort to make individual's aware that they are being recorded, and ensure that appropriate restrictions are in place.

We will refer to the guiding principles within the Code of Practice for POFA (principle 8) where this relates to identifying the requirements of a surveillance camera system.

To summarise, the Council will consider the following to make informed decisions:

- What are the technical specifications and the technologies available to ensure that the images captured are of an appropriate quality?
  - Is the camera suitable for the location, considering the light levels and size of area to be viewed?
  - Will the camera be sited in a way that ensures it is secure and protected from vandalism?
  - Will the view of the camera be obscured by buildings or growth of plants and trees, or similar?
  - Where appropriate, will the camera be sited to ensure that the viewing space it records is limited to the purpose (the need)?
  - When the camera is installed to deal with a specific problem, is it possible, or suitable to have a CCTV system that only records on movement or at certain times?
  - Does the CCTV System chosen produce images that are of sufficient size, resolutions and frames per second?
- 

## 7 OTHER TECHNOLOGIES

There are a number of other CCTV technologies that have been developed more recently and the way in which these can be linked or matched together means that CCTV is becoming more connected. This presents further issues for the operation of these types of CCTV and the handling the personal data of individuals.

### 7.1 Body Worn Video (BWV)

BWV is the use of a camera that is worn by a council employee, usually attached to their uniform clothing. These small cameras can record both sound and video.

The Council recognises that BWV is likely to be more intrusive than the more traditional CCTV and we will ensure that consideration is given to the impact on privacy before deploying these.

# Camera Code of Practice

---

These devices are switched on and off and we will ensure that the System Users, the employees, are provided with training and guidance on when to record.

For example, the Council's Civil Enforcement Officers may switch on BWV if an individual is being aggressive towards them however, it would not be appropriate to record an individual asking for directions.

To ensure that the council employees (System Users) provide an individual with a fair processing notice, we supply BWV with notices in the form of a card that attach to the employee's clothing.

Because these types of CCTV are portable, we will ensure that there are robust technical and physical security measures in place to protect the images and information captured, and prevent unauthorised access.

When the employees return to their office, the images and information are downloaded to a secure storage facility, and later deleted in line with our published retention schedule.

Appendix 4 of this Code of Practice provides a copy of the council's specific procedure for employees using BWV in Parking Enforcement. This will be expanded to cover all BWV.

---

## **7.2 Automatic Number Plate Recognition (ANPR)**

Blackpool Council recognises that ANPR can collect a considerable amount of information and therefore, it will only be used where this is justified following consideration of the impact that the use may have on an individual's privacy.

The Council will ensure that individuals are informed where ANPR is in use in fixed locations such as a car park entrance/exit barrier. This will be through signage that explains ANPR is in use, and stating that the Council is the data controller.

---

## **7.3 Stand-alone CCTV**

Blackpool Council uses CCTV within its own offices and assets such as Libraries or the Household Waste Recycling Centre.

Some of these are connected to the main CCTV Control Room and images or information is recorded on the main DVRs. However, a number of these are stand-alone CCTV. This means that the recordings are held within the particular office or asset and can only be accessed by authorised Council employees trained to operate that system.

# Camera Code of Practice

---

Where we use stand-alone CCTV, we avoid continual monitoring of the images as far as possible. We will access the recordings to view and provide copies of the images and information when this is necessary and in line with legislation.

---

## 7.4 Rapid Deployment Cameras (RDC)

Within Blackpool there are a number of poles sited at agreed locations that support the temporary installations of Rapid Deployment cameras (RDC) (also referred to as Re-deployable cameras).

Traditionally, these were purchased and maintained by the elected members (Councillors) for their wards or the previous Community Safety Partnership. The RDC can be moved to sites agreed by the PACT priorities or following identification of an increase in incidents in that specific locality.

To ensure that the deployment of the RDC complies with legislation, checklists will be followed and these form part of the documentation that will be maintained to form an audit record.

Employees or technical staff who deploy the RDC will comply with all relevant safety procedures, will wear appropriate protective equipment including hi-vis clothing, and will work in pairs.

---

## 7.5 CCTV Vehicle

Blackpool Council operates a CCTV vehicle which is fitted with cameras on the nearside and on a telescopic tower. There are two monitoring stations in the rear of the vehicle. These monitoring stations have the capability to monitor and download images from the cameras whilst they are positioned on poles via a 'microwave' link. The images from the RDC will continually record to the inbuilt hard drive but this will only be retained for 24 hours.

The CCTV Vehicle is considered to be a Rapid Deployment facility.

---

## 7.6 Vehicle Cameras

A number of Blackpool Council vehicle are fitted with cameras that record externally from the vehicle. For example, refuse vehicles are fitted with external-facing cameras to assist with the refuse collection task.

The images from these cameras will continually record to the inbuilt hard drive but this will only be retained for 24 hours.

---

# Camera Code of Practice

---

## 7.7 Traffic Monitoring Cameras

To assist with the management of traffic flow and the provision of traffic information to those who drive in Blackpool, the Council has a number of cameras that capture block images of traffic (no specific personal details are captured). This information is utilised in the update information provided on the electronic information signs located around the town.

The images from these cameras will be captured on a 10 second recording loop which is automatically over-written. We cannot provide images from these cameras.

---

## 8 USING THE EQUIPMENT

Blackpool Council recognises that it is important that any CCTV produces information that is of a suitable quality to meet the purpose that it was installed for. The Surveillance Camera Commissioner is responsible for providing advice on recommended operational, technical and occupational standards and the Council has taken this into account.

When using CCTV, will we ask:

- If the CCTV produces clear, quality information that is maintained throughout the recording process;
- Whether we need to compress the recorded material and if so, determine if this will result in a lower picture quality;
- If we have set up the recording systems in a way that prevent inadvertent corruption;
- If we regularly check the date and time stamp on recorded images to ensure it is accurate;
- What the maintenance regime should be and if it is sufficient to maintain high quality information;
- If any wireless transmissions we use are secure and if we have the ability to encrypt the information;
- If the ANPR systems used for matching information are accurate.

Although our main CCTV will not normally record conversations, the BWV devices may do so. Therefore we will ensure we have robust justification for this and consider how we can mitigate any intrusion on privacy. Where we have identified a need for recording conversations, we will follow the guidance in the ICO Code of Practice and that included in the Surveillance Camera Commissioner's standards to avoid a breach of the relevant data protection legislation and Article 8 of the European Convention on Human Rights and the associated HRA (the right to family and private life).

Some CCTV has the ability to broadcast messages. We will only use this type of CCTV if the proposed messages directly relate to the purpose of the system.

---

# Camera Code of Practice

---

## 9 RESPONSIBILITIES

### 9.1 Letting others know

We will let people know that we are operating CCTV by placing signs in the areas where this is in place.

For the Town Centre system, we will place clear and prominent signage on street furniture such as lampposts. Where CCTV is in use in areas where there is a higher expectation of privacy, such as a Council building or facility, we will ensure there is signage at the entry points.

The signage used will:

- Be clearly visible and readable;
- Contain details of the Council as the CCTV 'owner', and the purpose of the system;
- Include contact details such as a phone number or website address;
- Be of an appropriate size for the context it is in.

---

### 9.2 Signs on the roads

Where CCTV or ANPR is in more permanent use on the road network or car parks within Blackpool, we will ensure that appropriate signage is in place. We will endeavour to ensure that these do not affect road safety and we will consider the time that a driver has to read the information on the signs.

As a minimum, we will make it clear that cameras are in use and who is operating them so that road users know who to contact for more information.

If we use authorised signs under the road traffic sign regulations, we will ensure that these are permitted under the Town and Country Planning (control of advertisements) Regulations 2007.

---

### 9.3 Other responsibilities

The Council acknowledges that there are further key rights that individuals have under data protection legislation (DPA and GDPR) which the Council will make the System Users aware of.

These are:

- the right to prevent processing likely to cause substantial and unwarranted distress;
- the right to prevent automated decision-taking in relation to an individual.

If an individual exercises these rights, the Council's Information Governance Team will advise on how to process the requests.

## Camera Code of Practice

---

As most of the Council's CCTV covers public spaces, we will ensure that System Users comply with the licensing requirements imposed by the Security Industry Authority (SIA). If we are required to use contractors at any time, we will ensure that they hold a public space surveillance (CCTV) licence to ensure compliance with the Private Security Industry Act 2001.

---



# Camera Code of Practice

---

## APPENDIX 1

### The General Data Protection regulation: data protection principles (Article 5)

System Operators should adopt the following principles:

1. Personal data shall be:

(a) processed lawfully, fairly and in a transparent manner in relation to the data subject ('lawfulness, fairness and transparency');

(b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall [...] not be considered to be incompatible with the initial purposes ('purpose limitation');

(c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation');

(d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy');

(e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes [...] subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject ('storage limitation');

(f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').

2. The controller shall be responsible for, and be able to demonstrate compliance with, paragraph 1 ('accountability').

# Camera Code of Practice

---

## APPENDIX 2

### The guiding principles of the Surveillance Camera Code of Practice

System Operators should adopt the following 12 guiding principles:

1. Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.
2. 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.
3. 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.
4. There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.
5. 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.
6. 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.
7. 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.
8. 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.
9. Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
10. 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.
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.

## Camera Code of Practice

---

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.

# Camera Code of Practice

---

## APPENDIX 3

### Checklist for users of CCTV systems monitoring business premises

This CCTV system and the images produced by it are controlled by Blackpool Council who is responsible for how the system is used and for notifying the Information Commissioner about the CCTV system and its purpose (which is a legal requirement of the Data Protection Act 2018).

Blackpool Council has considered the need for using CCTV and has decided it is required for the prevention and detection of crime and for protecting the safety of citizens, clients and customers. We conduct an annual review of our use of CCTV.

Description	Information or completed (Y/N)
Date checked	
By (Name)	
Date of next review	
Notification has been submitted to the Information Commissioner and the next renewal date recorded.	
There is a named individual who is responsible for the operation of the system.	
The problem we are trying to address has been clearly defined and installing cameras is the best solution. This decision should be reviewed on a regular basis.	
A system has been chosen which produces clear images which the law enforcement bodies (usually the police) can use to investigate crime and these can easily be taken from the system when required.	
Cameras have been sited so that they provide clear images.	
Cameras have been positioned to avoid capturing the images of persons not visiting the premises.	

## Camera Code of Practice

Cont... Description	Information or completed (Y/N)
There are visible signs showing that CCTV is in operation. Where it is not obvious who is responsible for the system contact details are displayed on the sign(s).	
Images from this CCTV system are securely stored, where only a limited number of authorised persons may have access to them.	
The recorded images will only be retained long enough for any incident to come to light (e.g. for a theft to be noticed) and the incident to be investigated.	
Except for law enforcement bodies, images will not be provided to third parties.	
The potential impact on individuals' privacy has been identified and taken into account in the use of the system.	
The organisation knows how to respond to individuals making requests for copies of their own images. If unsure the controller knows to seek advice from the Information Commissioner as soon as such a request is made.	
Regular checks are carried out to ensure that the system is working properly and produces high quality images.	

This checklist must be kept in a safe place until the date of the next review.

# Camera Code of Practice

---

## APPENDIX 4

### Body Camera (BWV) Procedure – Parking Services

The purpose of the Body Camera (also known as Body Cam) is to protect the Civil Enforcement Officer (CEO) by gathering evidence to support any Penalty Charge Notices issued. Additionally the Body Camera will be used in the event of any complaints received from members of the public to either refute or uphold a complaint. Body Camera footage will also be supplied to the police in the event of violence/threats made against any Civil Enforcement Officer in the course of their duties.

- Collect Body Camera from dispatch office ensuring that it is fully charged. Each Body Camera is numbered from 1 to 9. There are a further 2 labelled Supervisor 1 & 2. 1 x Early Van and 1 for the Traffic Safety Officer to use. There is a signing out sheet which each CEO should use to record the Body Camera number taken, date, time and BP number.
- The Body Camera should be switched on immediately when a member of the public approaches a CEO to ensure the full conversation is recorded. Once the member of the public walks away the Body Camera should be switched off.
- Any vehicle that a CEO is planning to log or move on should be done with the Body Camera recording. The Body Camera should remain on for the full duration of the booking and should only be switched off when the booking is complete and the Civil Enforcement Officer is walking away from the vehicle.
- During conversations with members of the public the CEO should advise the person(s) they are speaking to that it is being recorded on a Body Camera for both their protection and for the Civil Enforcement Officers.
- The Body Camera must not be left recording footage when a CEO is not booking a vehicle or having a conversation with a member of the public.
- At the end of the shift the CEO should place the Body Camera back into the docking station in dispatch to allow for the footage to be downloaded. The Body Camera will show a green pulsing light on top which indicates that the body cam is re-charging.
- Footage from the Body Cameras will be stored on a designated laptop held securely in the dispatch office. Body Camera footage will be held for 28 days. After this time and if no challenges have been received the footage will be deleted.

## Camera Code of Practice

---

- If a CEO has had an incident the duty supervisor should be advised so that the incident can be separated from everyday footage and placed into the incident folder on the computer. Incident evidence will be made available to the Police if requested to ensure that a conviction or action can be taken.

I have read and understood the above procedure:

Signed : \_\_\_\_\_

Dated \_\_\_\_/\_\_\_\_/\_\_\_\_



# Camera Code of Practice

---

## **APPENDIX 5**

### **Stand-alone CCTV**

The Council operates stand-alone CCTV in its offices and assets including the Talbot Road Multi Storey Car Park. Some of these have separate codes of practice or policies for their use.

#### **Household Waste Recycling Centre CCTV Code of Practice**

Available within the CCTV section at <https://www.blackpool.gov.uk/Residents/Planning-environment-and-community/Crime-and-safety/Crime-and-safety.aspx>

#### **Household Waste Recycling Centre ANPR Code of Practice**

Available within the CCTV Section at <https://www.blackpool.gov.uk/Residents/Planning-environment-and-community/Crime-and-safety/Crime-and-safety.aspx>

---

# Camera Code of Practice

---

## Document Control

<b>Document owner:</b>	Blackpool Council
<b>Document number:</b>	CCTV01
<b>Document category:</b>	Unclassified
<b>Document location:</b>	Council filestore service
<b>Issued by:</b>	Head of Community Safety Strategy
<b>Last edited:</b>	November 2018

## Record of Amendments:

Date	Version	Amended by	Description of changes
23/2/17	V2.0	D Topping	Remove reference to Subject Access Request charges. Change job title from ICT Manager (Information Governance) to Information Governance Manager.
16/3/18	V3.0	D Topping	Code of Practice renamed to Camera Code of Practice; Overarching purpose included in 3.1; References to DPA amended to include GDPR; Law Enforcement Directive included; Additional Appendix included for GDPR; 7.5 & 7.6 included.
30/5/18	V3.1	D Topping	Change references to DPA 1998 to be DPA 2018 and replace Appendix 1 Data Protection Act principles. Renumber Appendices. Minor typing changes
1/11/18	V3.2	D Topping	Update format for Accessibility compliance.

## Approved By:

Name	Title	Signature	Date
Paolo Pertica	Head of Visitor Services	<i>P Pertica</i>	17 September 2015
Deborah Topping	Information Governance Manager	<i>D Topping</i>	17 September 2015
Paolo Pertica	Head of Community Safety Strategy	<i>P Pertica</i>	3 September 2018
Deborah Topping	Information Governance Manager	<i>D Topping</i>	3 September 2018
Corporate RIPA Group			26 September 2018
Corporate Leadership Team			11 December 2018