

# Blackpool Council



## HWRC CCTV Code of Practice

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## **Household Waste Recycling Centre**

### **CCTV Code of Practice**

#### **1. Introduction**

- 1.1. A closed circuit television (CCTV) system operates in the Blackpool Council Household Waste Recycling Centre, Bristol Ave, Bispham, Blackpool FY2 0JG. It records 24 hours a day, 7 days a week.
- 1.2. The owner and data controller of the system is Blackpool Council and responsibility for the day to day management of the system rests with the HWRC Site Manager. In his absence i.e. holidays, sickness or other time away from the site the HWRC Technician will take over responsibility
- 1.3. Copyright and ownership of all material recorded by the CCTV system will remain with Blackpool Council who are the Data Controller.

#### **2. Statement of Intent**

- 2.1. The system will be operated in accordance with all the requirements and principles of the Human Rights Act 1998.
- 2.2. The system will be operated in accordance with the Data Protection Act 1998.
- 2.3. The operation of the system will recognise the need for formal authorisation of any covert 'Directed' surveillance as required by the Regulation of Investigatory Powers Act 2000.
- 2.4. The public interest in the operation of the system is recognised by ensuring the security and integrity of operational procedures.

#### **3. Purpose and Objectives**

- 3.1. The main purpose of the CCTV system is to provide security for the site and to help deter unlawful activities within the boundaries of the site.
- 3.2. The specific objectives are:
  - Manage misuse of the centre and help prevent and identify illegal trade use of the centre
  - To help in the prevention, detection and deterrence of crime
  - To help reduce the fear of crime and to reassure the public
  - To facilitate the apprehension and prosecution of offenders in relation to crime and public order

- To deter and reduce anti social behaviour such as vandalism and graffiti
- Help with the safety of visitors and staff

#### **4. Operation of the System**

- 4.1. This Code of Practice is supplemented by a separate Operational Procedural Manual which provides instructions on the day to day operation of the system.
- 4.2. The system comprises of 4 cameras three of which are fully functional with pan, tilt & zoom capability and one that has a fixed view. The cameras are recorded onto a digital video recorder that is located on site and images from this can be viewed and downloaded onto DVD either on site or in the Blackpool Council CCTV Control Room.
- 4.3. The system will be operated in accordance with the requirements of the Human Rights Act 1998 and the principles of the Data Protection Act 1998.
- 4.4. The system will comply with the Information Commissioner's CCTV Code of Practice (2008 Revised Edition).
- 4.5. The operation of the system will recognise the need for formal authorisation of the Regulation of Investigatory Powers Act 2000 in respect of any planned covert surveillance.
- 4.6. The system will be operated fairly, within the law and only for the purposes for which it has been established and are identified within this Code.
- 4.7. Data obtained from the system will be held and stored for the purposes set out in this Code and for no other purposes.
- 4.8. Blackpool Council will, as far as is reasonably possible, balance the use of the CCTV system with the need to safeguard the individual's rights to privacy.
- 4.9. There will be no deliberate monitoring of people, including employees of Blackpool Council, carrying out their legitimate business.

#### **5. Cameras**

- 5.1. None of the cameras which form part of the system are installed in a covert manner. Appropriate signs are displayed at the centre notifying the public and staff that cameras are in operation.
- 5.2. There are 4 cameras in the system three of which are fully functional with pan, tilt & zoom capability and one that has a fixed view.
- 5.3. All cameras are properly maintained and serviced to ensure clear images are recorded.

5.4. There are no dummy cameras used in this system.

## **6. Monitoring**

- 6.1. The CCTV system records all cameras simultaneously and the footage is recorded onto a hard drive. The images are not monitored continuously but are viewed in response to an incident or event or reviewed after an event has occurred.
- 6.2. Images can be copied onto DVD if required for evidential purposes or in response to a valid subject access request.
- 6.3. Images are retained on the hard drive for a minimum of 19 days after which time the data is overwritten.
- 6.4. Still photographs are not produced from the system.
- 6.5. If an incident occurs the details are recorded on an incident log on site. If a copy of the footage is subsequently released to the Police or indeed any other agency or Council Department, a record of the time and date it was handed over together with the officers/persons name who received the footage will be recorded.
- 6.6. All recorded material will be processed and handled in accordance with this Code of Practice and the Operational Procedural Manual and in accordance with the principles of the Data Protection Act.

## **7. Staff**

- 7.1. Authorised persons will be present whenever the monitoring equipment is being used.
- 7.2. The following members of staff are authorised to use the system:
  - Head of Integrated Transport & Waste Services
  - HWRC Manager
  - HWRC Technician
  - CCTV Supervising and Operations Managers and CCTV Engineers
- 7.3. Any person operating the cameras will act with utmost integrity at all times in accordance with the obligations contained within the terms and conditions of employment and will not use the system for purposes other than those for which it is intended.

## **8. Release of Data**

- 8.1. Any Police officer or other person with statutory enforcement powers who requires a copy of footage from the system must specify the time and date of

the alleged incident and justify the reason for the request by completing a Data Request Form.

- 8.2. Any footage released to the Police or other enforcement officer must be signed for
- 8.3. Any request for observations using the CCTV system must be made in writing to HWRC Manager unless impractical at the time. Under such circumstances a written record will be made regarding the request as soon as it is practical to do so. If a copy of any footage is required a request must be made in writing to the HWRC Manager by completing a Data Request form. A record must be kept of any information released. If a member of staff receives a request for access to CCTV material from an internal staff member who is not an authorised user of the system they must not discuss with them the contents of any recording/observation made by the CCTV system. The requesting person should be referred to the HWRC Manager.
- 8.4. The right to access material by data subjects is contained within Section 7 of the Data Protection Act 1998. Any request from a member of the public for the disclosure of personal data which they believe is recorded on the system should be directed to the HWRC Manager. The applicant will be required to complete a Data Protection Subject Access form and pay the appropriate fee. In the meantime the footage that they are interested in will be copied to DVD so as to avoid loss of the data.
- 8.5. Any person making a request must be able to satisfactorily prove their identity and provide sufficient information to enable the data to be located.
- 8.6. Footage may be used for the training and education of those involved in the operation of the system and those involved in the investigation, prevention and detection of crime.
- 8.7. Footage will not be released in connection with a civil dispute unless there is either a valid subject access request or a court order.
- 8.8. Footage will not be released to the media without the prior consent of the Chief Executive's Office and/or Head of Communications for the Council. No recorded material will be sold or used for the purposes of entertainment.
- 8.9. Applications for information/footage received under the Freedom of Information Act will be dealt with in accordance with Blackpool Council Policy.

## **9. Surveillance**

- 9.1. Authorised officers can use the system to follow an identified individual in reactive circumstances. For example, if a person is observed stealing a handbag or breaking into a car then the cameras can be trained on him in order to identify him and track his whereabouts.
- 9.2. In the event that a Police officer requests use of the system to carry out surveillance in a targeted/planned manner e.g. to follow a known criminal who attends the centre on a regular basis then the officer must produce a

copy of the Regulation of Investigatory Powers Act 2000(RIPA) Authorisation signed by an Officer not below the rank of Superintendent prior to the surveillance taking place.

## **10. Breaches of the Code**

- 10.1. Any breach of the Code of practice by Blackpool Council staff will initially be investigated by the section manager in order for him/her to take the appropriate disciplinary action.
- 10.2. Any serious breach of the Code of Practice will be immediately investigated and an independent investigation carries out to make recommendations on how to deal with the breach.

## **11. Complaints**

- 11.1. A member of the public wishing to register a complaint about any aspect of the CCTV system at HWSC Site may do so by putting their complaint in writing to the HWRC Manager. Any such complaint will be dealt with in accordance with the existing Blackpool Council complaints procedure.
- 11.2. Any use of the system which may breach the Data Protection Act will be investigated by the Council's Senior Information Risk Owner and may be investigated by the Information Commissioner who regulates and enforces the Act.

## **12. Public Information**

- 12.1. Signs are placed at the entrance to the HWRC Site which indicates the presence of CCTV monitoring.
- 12.2. A copy of this Code of Practice will be available to the public from:
  - The HWRC, Bristol Ave, Blackpool FY2 0JG
  - <http://www.blackpool.gov.uk/>
- 12.3. The system will be audited by the Council's Internal Audit section.
- 12.4. This code has been approved by The Head of Integrated Transport and Waste Services.

## **13. Summary of Key Points**

- 13.1. This code will be reviewed every 2 years.
- 13.2. The CCTV system is owned by Blackpool Council.

13.3.Data will be used and stored in accordance with current legislation and/or Council policies.

13.4.Any breaches of the code will be investigated and dealt with appropriately.

Effective Date: January 2013

Review Date: January 2015

Signed: