SPENNYMOOR TOWN COUNCIL

CCTV POLICY

Author of Policy:	Town Clerk
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In accordance with the Freedom of Information Act 2000, this document will be posted on the Council's Website www.spennymoor-tc.gov.uk and copies of this document will be available for inspection on deposit in the Council Offices, Town Hall, Spennymoor. Costs are as per the model publication scheme.

1. Introduction

1.1 This Policy must be read in conjunction with the Information Commissioner's "CCTV Code of Practice Revised edition 2008 and the Surveillance Camera Code of Practice pursuant to Section 29 of the Protection of Freedoms Act issued by the Secretary of State.

A Closed Circuit Television (CCTV) System is in operation at the Town Hall, Jubilee Park, and Spennymoor and Tudhoe cemeteries. The CCTV system comprises cameras installed at strategic internal and external locations, as well as body cameras.

The CCTV system generally consists of mobile/body cameras, fixed lens cameras and a number of fully functional (pan, tilt, zoom) cameras located for surveillance in the following areas:

	Town Hall	**Jubilee Park**	**Cemeteries**
Site perimeter	✓	✓	✓
External areas	✓		
Reception and entry/exit points/public areas	✓		
Corridors and circulation areas	✓	✓	✓
Communal spaces	✓		
Roof space	✓		
On person	✓	✓	✓

The cameras are either fixed or with pan, tilt and zoom facilities and deliver colour images. The body cameras can also record sound.

1.2 **Definitions**

Data Controller means Spennymoor Town Council

Owner means Spennymoor Town Council

System Manager means The Town Clerk

Details of key personnel, their responsibilities and contact points are shown in Appendix 1 to this Code.

1.3 **Statement in Respect of the Human Rights Act 1998**

It is recognised that Spennymoor Town Council and those carrying out the functions of CCTV surveillance are required to observe the obligations imposed by the Human Rights Act 1998.

It is considered that the use of CCTV in the Town Hall, Jubilee Park and the cemeteries is a necessary, proportionate and suitable tool to

assist in the security and safety of the staff, public, and the Town Council assets and property.

Section 163 of the Criminal Justice and Public Order Act 1994 creates the power for local authorities to provide closed circuit television coverage on any land and/or their owned premises for the purposes of safety, security and victim welfare.

It is also considered necessary towards their duty under the Crime and Disorder Act 1998.

The CCTV systems shall be operated with respect for all individuals, recognising the right to be free from inhuman or degrading treatment and avoiding discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status. Furthermore the system will be operated in such a way as to avoid infringement of individual privacy.

The Council and management recognise that it is their joint responsibility to ensure that the scheme should always comply with all relevant legislation, to ensure its legality and legitimacy.

The scheme will only be used as a proportional response to identified problems and be used in so far as necessary, in the interests of security and safety, the prevention and detection of crime, the protection of health and morals or for the protection of the rights of the freedom of others.

The Code of Practice and observance of the Operational Procedures contained in the manual shall ensure that evidence is secured, retained and made available as required such that there is absolute respect for everyone's rights.

1.4 Objectives of the System

The objectives of the scheme are:

- To assist in the management of Council buildings, property and premises.

- To help deter and detect acts of anti-social or criminal behaviour
- To enhance safety and assist in developing a sense of well being
- To monitor visitors and behaviour
- To enhance general site security
- To assist in supporting civil or criminal proceedings
- To enhance public, employee and clients safety

Within this broad outline, the Data Controller may draw up specific key objectives (which will be reviewed annually) based upon specific concerns.

2. Statement of Purposes and Principles

2.1 Purpose

The purpose of this document is to state how the Council and the managers intend to use the CCTV System, (hereafter referred to as 'The System') to meet the objectives and principles outlined in Section 1.

2.2 General Principles of Operation

The System will be operated in accordance with all the requirements and the principles of the Human Rights Act 1998.

The operation of the System will also recognise the need for formal authorisation of covert surveillance as required by the Regulation of Investigatory Powers Act 2000, in particular Part 2 of the Act.

The System will be operated in accordance with the Data Protection Act 2018 and General Data Protection Regulations 2018 at all times.

The System will be operated fairly and lawfully and only for the purposes for which it was established and is identified within this Policy, or which is subsequently agreed in accordance with this Policy.

The System will be operated with due regard to a general right to respect and privacy to the individual.

Any public interest in the operation of the System will be safeguarded by ensuring the security and integrity of operational procedures.

Throughout this Policy it is intended, as far as reasonably possible, to balance the objectives of the CCTV System with the need to safeguard an individual's rights, while safeguarding our people and our property.

Every effort has been made throughout the Policy to indicate that a formal structure has been put in place, including a complaints procedure, by which it can be identified that the System is not only accountable, but is seen to be accountable.

Participation in the System by any other organisation, individual or authority assumes an agreement by all such participants to comply fully with this Policy and to be accountable under the Policy.

2.3 Copyright

Copyright and ownership of all material recorded by virtue of The System will remain with the Data Controller.

2.4 Cameras and Area Coverage

This Policy refers to those areas within the responsibility of the Council.

All cameras within the System will be positioned in an agreed area and will be suitably signed to alert their presence.

Details of the location of all cameras will be recorded and is shown in Appendix 2 of this Code.

2.5 Monitoring and Recording Facilities

All cameras are connected to a secure dedicated network and can be controlled and monitored.

All images captured by the System are continuously recorded throughout every 24 hour period by the System's digital recording equipment.

2.6 **Human Resources**

Staff will be suitably trained and authorised visitors will not have access to the monitoring area without an authorised member of staff being present.

2.7 **Processing and Handling of Recorded Material**

No recorded material, whether recorded digitally, in analogue format or as a hard copy video print, will be released from the monitoring area unless it is in accordance with this Policy.

2.8 **Operators Instructions**

Spennymoor Town Council will provide operating instructions for use by Town Council staff.

2.9 **Changes to the Policy**

Any changes to the Policy, will take place only after consultation with and upon the agreement of Spennymoor Town Council.

3. Privacy and Data Protection

3.1 **Public Concern**

Although the majority of the public at large may have become accustomed to 'being watched', those who do express concern, do so mainly over matters pertaining to the processing of the information, (or data) i.e. what happens to the material that is obtained.

In this case this may relate to the privacy of visitors and to those affected by cameras placed at the perimeter of the facility that may overlook other private property or public space.

All personal data obtained by virtue of the System, shall be processed fairly and lawfully and, in particular, shall only be processed in the exercise of achieving the stated objectives of the System. In processing personal data a person's right to respect and where applicable to their private and family life and their home will be fully considered.

The processing, storage and security of the data will be strictly in accordance with the requirements of the Data Protection Act 1998 and additional locally agreed procedures.

Cameras will not be used to look into private residential property. Where the equipment permits it, 'Privacy zones' will be programmed into the System, as required in order to ensure that the interior of any private residential property within range of the System is not surveyed by the cameras. If such 'zones' cannot be programmed any camera operator will be specifically trained in privacy issues.

3.2 Data Protection Legislation

Spennymoor Town Council is registered on the Public Register of Data Controllers under the registration number **Z204766X.**

The operation of the System has been notified to the Office of the Information Commissioner in accordance with current Data Protection legislation.

The 'data controller' for the System is Spennymoor Town Council. Day to day responsibility for the data will be devolved to the Town Council.

All data will be processed in accordance with the principles of the Data Protection Act 1998 which in summarised form is that:

- All personal data will be processed fairly and lawfully.
- Personal data will be obtained only for the purposes specified.
- Personal data held will be adequate, relevant and not excessive in relation to the purpose for which the data is processed.
- Steps will be taken to ensure that personal data is accurate and where necessary, kept up to date.
- Personal data will be held for no longer than is necessary.
- Individuals will be allowed access to personal data, in accordance with an individual's rights
- Procedures will be implemented to ensure security measures to prevent unauthorised or accidental access to, alteration, disclosure, or loss and destruction of information.

3.3 Request for Information

Any request from an individual for the disclosure of personal data which he or she believes is recorded by virtue of the System will be directed in the first instance to the Town Clerk at the Town Hall.

The principles of the Data Protection Act 2018 and the General Data Protection Regulations 2018 shall be followed in respect of every request. Individuals whose image is captured on CCTV, but who are not the target of the surveillance are not entitled to make an access request, if the request cannot be complied with without identifying another individual. Permission from that individual must be obtained unless it is reasonable in all the circumstances to comply with the request without the consent of that individual.

Any person making a request must be able to satisfactorily prove their identity and provide sufficient information to enable the data to be located.

3.4 Exemptions to the Provision and Information.

In considering a request made under the provisions of Section 7 of the Data Protection Act 1998, reference may also be made to Section 29 of the Act which includes, but is not limited to, the following.

Personal data processed for any of the following purposes:

- The prevention or detection of crime
- The apprehension or prosecution of offenders are exempt from the subject access provisions in any case to the extent to which the application of those provisions to the data would be likely to prejudice the matters referred to above.

4. Accountability and Public Information

4.1 The Public

For reasons of security and confidentiality, access to the CCTV monitoring area is restricted in accordance with this Policy.

A member of the public or others wishing to register a complaint with regard to any aspect of the System may do so by contacting the Town Clerk's office.

All complaints shall be dealt with in accordance with Spennymoor Town Council complaints procedure (as appropriate), a copy of which may be obtained from the Council offices.

Any performance issues identified will be considered under the relevant Council disciplinary procedure to which all employees, including CCTV personnel are subject.

4.2 **System Manager**

The nominated Manager, named at Appendix 1 will have day-to-day responsibility for the System as a whole.

The appointed System Manager will ensure that every complaint is acknowledged within ten working days which will include advice to the complainant of the enquiry re the procedure to be undertaken. A record of all complaints will be kept and reported to the Council annually.

4.3 **Information**

- **Policy**

  A copy of this Policy will be made available to anyone on request.

- **Signs**

  Signage (indicating that the area is subject to CCTV surveillance) will be placed at the main site entrance points and in those areas made available to visitors.

  The signs will indicate:

  - The presence of CCTV monitoring
  - The 'ownership' of the System
  - Contact name and if appropriate the telephone number for the System.

5. Assessment of the System and Policy

5.1 **Evaluation**

The System will, periodically, be evaluated to establish whether the purpose of the System is being complied with and whether objectives are being achieved.

5.2 **Monitoring**

The Town Clerk will accept day to day responsibility for the monitoring and operation of the System and the implementation of the Code of Practice.

The Town Clerk shall also be responsible for maintaining full management information as to the incidents dealt with by the monitoring room area as they arise, for use in the management of the System and in future evaluations.

5.3 **Audit**

There will be regular audits of the operation of the System and the compliance with the Code of Practice. Audits, which may be in the form of irregular spot checks, will include examination of the monitoring area records, media histories and the content of recorded material.

6. Human Resources

6.1 **Staffing of the Monitoring Area**

CCTV operators will not be permitted to use the CCTV system until they have received suitable basic training and are familiar with this Policy.

Every person involved in the management and operation of the System will be personally issued with a copy of this Policy. They will be required to sign confirming that they fully understand their obligations to adhere to these documents and that any breach is likely

to be considered a disciplinary offence. They will be fully conversant with the contents of the Policy and appropriate procedures, which may be updated from time to time, and with which he / she will be expected to comply.

Arrangements may be made for a police officer, or other necessary person to be present in the monitoring area at certain times, subject to locally agreed protocols. Any such person must also be conversant and comply with this Policy and associated procedures.

6.2 Discipline

Every individual with any responsibility under the terms of this Policy and who has any involvement with the System to which it refers, will be subject to the Town Council's disciplinary code. Any breach of this Policy or of any aspect of confidentiality will be dealt with in accordance with the relevant disciplinary procedure.

The Town Clerk will accept primary responsibility for ensuring there is no breach of security and that the Policy is complied with. He or she has day to day responsibility for the management of the control or operating room/area, and for ensuring compliance with the Code of Practice and procedures.

7. Control and Operation of Cameras

7.1 Guiding Principles

Any person operating the cameras will act with utmost probity at all times.

Cameras will not be used to look into private residential property, or public spaces not owned by Spennymoor Town Council, unless surveying an event that is considered to be in the interests of Spennymoor Town Council or the wider public.

Camera operators will be mindful of exercising prejudices, which may lead to complaints that the System is being used for purposes other than those for which it is intended. Any operators may be required to justify their interest in, or recording of, any particular individual, group of individuals of property at any time by virtue of the audit of the system or by the System Manager.

7.2 Operation of the System by the Police

Under extreme circumstances the Police may make a request to assume direction of the System to which this Policy applies. Only requests made on the written authority of a police officer of Superintendent rank or above will be considered. Any such request will only be accommodated on the personal written authority of the Town Clerk, or designated deputy of equal standing.

In the event of such a request being permitted, the monitoring or control area will continue to be staffed and equipment operated by only those personnel who are authorised to do so and who fall within the terms of Sections 6 and 7 of this Policy, who will, then operate under the direction of the police officer designated in the written authority.

In very extreme circumstances a request may be made for the Police to take total control of the System in its entirety, including the staffing of the monitoring or control room area and personal control of all associated equipment, to the exclusion of all representatives of the Town Council. Any such request must be made to the Town Clerk. A request for total exclusive control must be made in writing by a police officer of the rank of Assistant Chief Constable or above.

7.3 Maintenance of the System

To ensure compliance with the Information Commissioners Code of Practice and that images recorded continue to be of appropriate evidential quality the CCTV System shall be maintained under a maintenance agreement. The maintenance agreement will make provision for regular periodic service checks on the equipment which will include cleaning of any all-weather domes or housings, checks on the functioning of the equipment, and any minor adjustments that need to be made to the equipment settings to maintain picture quality.

The maintenance will also include regular periodic overhaul of all the equipment and replacement of equipment which is reaching the end of serviceable life.

The maintenance agreement will provide for ‘emergency’ attendance by a specialist CCTV engineer on site to rectify any loss or severe

degradation of image or camera control and will define the maximum periods of time permitted for attendance by the engineer and for rectification of the problem depending upon the severity of the event and the operational requirements of that element of the System.

It is the responsibility of the Town Clerk to ensure appropriate records are maintained in respect of the functioning of the cameras and the response of the maintenance organisation.

8. Management of Recorded Material

8.1 Guiding Principles

For the purposes of this Code 'recorded material' means any material recorded by, or as the result of, technical equipment which forms part of the System, but specifically includes images recorded digitally, or on videotape or by way of video copying, including video prints.

Every video or digital recording obtained by using the System has the potential of containing material that may need to be admitted in evidence at some point during the period of its retention.

Visitors, the Public and the Staff of the Council must have total confidence that information recorded about their ordinary every day activities by virtue of the System, will be treated with due regard to their individual right to respect.

It is therefore of the utmost importance that irrespective of the means or format (e.g. paper copy, digital tape, CD, or any form of electronic processing and storage) of the images obtained from the System, they are treated strictly in accordance with this Policy from the moment they are received by the monitoring room until final destruction. Every movement and usage of this data or recorded material will be meticulously recorded.

Access to and the use of recorded material will be strictly for the purposes defined in this Policy only.

Recorded material will not be copied, sold, otherwise released or used for commercial purposes or for the provision of entertainment or otherwise made available for any use incompatible with this Policy.

8.2 **Recorded Material – Retention**

Recorded material will be retained for a period of one calendar month before re use or destruction. Any physically recorded material will either be mechanically destroyed or magnetically erased in full accordance with any manufacturer's requirements. Digital or server based recording will be set to overwrite automatically.

At the conclusion of their life recorded material used within the CCTV System will be destroyed.

8.3 Recorded Material – Use for Monitoring and Training

The CCTV System will be used as a monitoring tool to further improve practice where relevant.

8.4 Register of Recorded Material

Each discrete item of recorded material (tape, CD, DVD etc.) will be registered and monitored from the time it is produced, until it is destroyed, whilst it is within the control area.

Records will be retained for at least three years

8.5 Release of recorded material.

If recorded material is released in accordance with this Policy, a record must be kept which identifies the basis of that release, and to whom. Records will be retained for at least three years.

8.6 Prints of recorded material

Prints, subject to Data Protection, will be treated in the same way as other recorded information identified above. They will not be released outside the control centre except as permitted by this Policy, and any release will be recorded.

Where prints, which contain personal data, are taken for use within the control centre, they should not be kept for longer than reasonably justified, and should be regularly reviewed.

Prints that are no longer required should be securely destroyed.

8.7 National Standard for the Release of Data to a Third Party

Every request for the release of personal data generated by this CCTV System will be channelled through the Town Clerk. The Town Clerk will ensure the principles contained within Appendix 3 to this Code of Practice are followed at all times.

In complying with the national standard for the release of data to third parties, it is intended, as far as reasonable practicable, to safeguard the individual's right and to give effect to the following principles:

- Recorded material shall be processed lawfully and fairly, and used only for the purposes defined in this Policy
- Access to recorded material will only take place in accordance with the standards outlined in Appendix 3 and this Policy

Members of the police service or other agency having a statutory authority to investigate and/or prosecute offences may, subject to compliance with Appendix 3, release details of recorded information to the media only in an effort to identify alleged offenders or potential witnesses. Under such circumstances, full details will be recorded. If material is to be shown to witnesses, including police officers, for the purpose of obtaining identification evidence, it must be shown in accordance with Appendix 3.

APPENDICES

Appendix 4 – Staff Declaration of Confidentiality

Appendix 5 – Application of the Regulation of Investigatory Powers

Appendix 6 – Subject Access Request Form

Appendix 1

System Owners and Operators

System Owners

The CCTV System is owned by Spennymoor Town Council and is operated by Spennymoor Town Council, who bears the responsibility for maintaining the System.

Spennymoor Town Council Tel: 01388 815276
Town Hall
High Street
Spennymoor
DL16 6DG

Owners Responsibilities:

- Ensure the provision and maintenance of all equipment forming part of the Town Hall, Jubilee Park and Cemetery CCTV Systems in accordance with contractual arrangements, which the owners may from time to time enter into
- Maintain close liaison with the site or relevant manager
- Ensure the interests of the Town Council and other organisations are upheld in accordance with the terms of this Policy
- Agree to any proposed alterations and additions to the System and/or this Policy.

Operational Management
The Town Clerk
Spennymoor Town Council Tel: 01388 815276
Town Hall
High Street
Spennymoor
DL16 6DG

Responsibilities:

- The Town Clerk is the 'manager' of the CCTV System
- He/she has delegated authority for day to day management on behalf of the Town Council
- To maintain day to day management of the System and staff
- To accept overall responsibility for the system and for ensuring that this Policy is complied with

Appendix 2

System Location of the Cameras

Access to the latest list of CCTV cameras and location drawings may be obtained from the system owner and/or system manager upon request. It should be noted however that the premises are operated as a secure unit and as such, access and disclosure of this information will be strictly controlled to prevent exposure to the general public in the interest of protecting the integrity of the service being provided.

Appendix 3

National Standard for the Release of Data to Third Parties

Introduction

CCTV is one of the most powerful management tools to be developed during recent years to assist with surveillance, security, safety and to combat crime. Equally, it may be regarded by some as the most potent infringement of people's liberty. If users, owners and managers of such Systems are to command the respect and support of individuals and the public, the systems must be used with the utmost probity at all times. In addition they must be used in a manner which stands up to scrutiny and is accountable to the very people they are aiming to protect.

Spennymoor Town Council are committed to the principle that everyone has the right to respect for his or her private life. Although the use of CCTV cameras has become widely accepted as an effective security tool, those people who do express concern tend to do so over the handling of the information (data) which the System gathers. Spennymoor Town Council accept that the nationally recommended standards be generally adopted.

General Policy

All requests for the release of data shall be processed in accordance with the below. All such requests shall be channelled through the data controller or their nominated representative.

Primary Request to View Data

a) Primary requests to view data generated by a CCTV System are likely to be made by third parties for any one or more of the following purposes:
    - Providing evidence in criminal proceedings;
    - Providing evidence in civil proceedings or tribunals
    - The prevention of crime
    - The investigation and detection of crime (may include identification of offenders)
    - Identification of witnesses

b) Third parties, who are required to show adequate grounds for disclosure of data within the above criteria, may include, but are not limited to:
    - Police
    - Statutory authorities with powers to prosecute (e.g. Customs and Excise; Trading Standards etc.)
    - Solicitors
    - Claimants in civil proceedings
    - Accused persons or defendants in criminal proceedings
    - Other agencies, (as agreed by the Data Controller and notified to the Information Commissioners) according to purpose and legal status.

c) Upon receipt from a third party of a bona fide request for the release of data, the data controller shall:
    - Not unduly obstruct a third party investigation to verify the existence of relevant data
    - Ensure the retention of data which may be relevant to a request, but which may be pending application for, or the issue of, a court order or subpoena. A time limit shall be imposed on such retention, which will be notified at the time of the request

d) Where requests fall outside the terms of disclosure and Subject Access legislation, the data controller, or nominated representative, shall:
    - Be satisfied that there is no connection with any existing data held by the police in connection with the same investigation
    - Treat all such enquiries with strict confidentiality

Secondary Request to View Data

a) A ‘secondary’ request for access to data may be defined as any request being made which does not fall into the category of a primary request. Before complying with a secondary request, the data controller shall ensure that:
    - The request does not contravene, and that compliance with the request would not breach current relevant legislation, (e.g. Data Protection Act 1998, Human Rights Act 1998, section 163 Criminal Justice and Public Order Act 1994, etc.)
    - Any legislative requirements have been complied with, (e.g. the requirements of the Data Protection Act 1998)
    - Due regard has been taken of any known case law (current or past) which may be relevant
    - The request would pass a test of ‘disclosure in the public interest’

b) If in compliance with a secondary request to view data, a decision is taken to release material to a third party, the following safeguards shall be put in place before surrendering the material:
    - In respect of material to be released under the auspices of 'crime prevention', written agreement to the release of the material should be obtained from a police officer, not below the rank of Inspector. The officer should have personal knowledge of the circumstances of the crime/s to be prevented and an understanding of the CCTV System Policy.
    - If the material is to be released under the auspices of 'public well-being, health or safety', written agreement to the release of the material should be obtained from a senior office within the Local Authority. The officer should have personal knowledge of the potential benefit to be derived from releasing the material and an understanding of the CCTV system Policy.

c) Recorded material may be used for bona fide training purposes such as police or staff training. Under no circumstances will recorded material be released for commercial sale of material for training or entertainment purposes.

Individual Subject Access under Data Protection Legislation

a) Under the terms of Data Protection legislation, individual access to personal data, of which that individual is the data subject, must be permitted providing:
    - The request is made in writing
    - A specified fee is paid for each individual search
    - The data controller is supplied with sufficient information to satisfy him or herself as to the identity of the person making the request.
    - The person making the request provides sufficient and accurate information about the time, date and place to enable the data controller to locate the information which that person seeks, (it is recognised that a person making a request is unlikely to know the precise time. Under those circumstances it is suggested that within one hour of accuracy would be a reasonable requirement)
    - The person making the request is only shown information relevant to that particular search and which contains personal data of him or herself only, unless all other individuals who may be identified from the same information have consented to the disclosure;

b) In the event of the data controller complying with a request to supply a copy of the data to the subject, only data pertaining to the individual should be copied, (all other personal data which may facilitate the identification of any other person should be concealed or erased).

Under these circumstances an additional fee may be payable.

c) The data controller is entitled to refuse an individual request to view data under these provisions if insufficient or inaccurate information is provided, however, every effort should be made to comply with subject access procedures and each request should be treated on its own merit.

d) In addition to the principles contained within the Data Protection legislation, the data controller should be satisfied that the data is:
    - Not currently and, as far as can be reasonably ascertained, not likely to become, part of a 'live' criminal investigation
    - Not currently and, as far as can be reasonably ascertained, not likely to become, relevant to civil proceedings
    - Not the subject of a complaint or dispute which has not been actioned
    - The original data and that the audit trail has been maintained
    - Not removed or copied without proper authority
    - For individual disclosure only (i.e. to be disclosed to a named subject)

Process of Disclosure

1) Verify the accuracy of the request
2) Replay the data to the requestee only, (or responsible person acting on behalf of the person making the request.)
3) The viewing should take place in a separate room and not in the control or monitoring area. (Only data which is specific to the search request shall be shown)
4) It must not be possible to identify any other individual from the information being shown, (any such information will be blanked-out, either by means of electronic screening or manual editing on the monitor screen)
5) If a copy of the material is requested and there is no on-site means of editing out other personal data, then the material shall be sent to an editing house for processing prior to being sent to the requestee.

Media Disclosure

a) In the event of a request from the media for access to recorded material, the procedures outlined under 'secondary request to view data' shall be followed. If material is to be released the following procedures shall be adopted:

    - The release of the material must be accompanied by a signed release document that clearly states what the data will be used for

and sets out the limits on its use, and indemnifies the partnership against any breaches of the legislation

- The release form shall state that the receiver must process the data in a manner prescribed by the data controller, e.g. specific identities/data that must not be revealed
- It shall require that proof of any editing must be passed back to the data controller, either for approval or final consent, prior to its intended use by the media (protecting the position of the data controller who would be responsible or any infringement of Data Protection legislation and this Policy)
- The release form shall be considered a contract and signed by both parties.

Appendix 4

Staff Declaration of Confidentiality

I……., am employed by Spennymoor Town Council and undertake monitoring of the CCTV System.

I have received a copy of the Policy in respect of the operation and management of that CCTV System.

I hereby declare that:

I am fully conversant with the content of that Policy and understand that all duties which I undertake in connection with the Spennymoor Town Council CCTV System must not contravene any part of the current Policy, or any future amendments of which I am made aware.

If now, or in the future, I am, or become unclear of any aspect of the operation of the System or the content of the Policy, I undertake to seek clarification of any such uncertainties.

I understand that it is a condition of my employment that I do not disclose or divulge to any individual, firm, company, authority, agency or other organisation, any information which I may have acquired in the course of, or for the purposes of, my position in connection with the CCTV System, verbally, in writing or by any other media, now or in the future, (including such time as I may no longer be retained in connection with the CCTV System.)

In appending my signature to this declaration, I agree to abide by the Policy at all times. I also understand and agree to maintain confidentiality in respect of all information gained during the course of my duties, whether received verbally, in writing or any other media format – now or in the future.

Signed……..

Print Name……..

Witness…….

Position…….

Dated this…….. (day) of ……(month), 20…….(year).

Appendix 5

Application of the Regulation of Investigatory Powers Act (RIPA)

Advice and Guidance for Control Room/Area Staff and Police Inspectors in respect of CCTV and the Regulation of Investigatory Powers Act 2000

The Regulation of Investigatory Powers Act 2000 relates to surveillance by the police and other agencies and deals in part with the use of directed covert surveillance. Section 26 of this act sets out what is Directed Surveillance.

It defines this type of surveillance as:

Subject to subsection (6), surveillance is directed for the purposes of this Part if it is ***covert*** *but* ***not intrusive*** *and is undertaken-*

a) *For the purpose of a specific investigation or a specific operation*
b) *In such a manner as is likely to result in the obtaining of private information about a person (whether or not one specifically identified for the purposes of the investigation or operation) and*
c) *Otherwise than by way of an immediate response to events of circumstances the nature of which is such that it would not be reasonably practicable for an authorisation under this Part to be sought for the carrying out of the surveillance*

The impact for staff in Police control rooms/areas and CCTV monitoring centres, is that there might be cause to monitor for some time, a person or premises using the cameras.

In most cases, this will fall into sub-section (c) above i.e.it will be an immediate response to events or circumstances. In this case, it would not require authorisation unless it were to continue for some time.

In cases where a pre-planned incident or operation wishes to make use of CCTV for such monitoring, an authority will almost certainly be required.

Slow time requests are authorised by a Superintendent or above.

If an authority is required immediately, an Inspector may do so. The forms in both cases must indicate the reason and should fall within one month of the following categories:

An authorisation is necessary on grounds falling within this subsection if it is necessary:

(a) In the interests of national security
(b) For the purposes of preventing or detecting crime or of preventing disorder
(c) In the interests of the economic well-being of the United Kingdom
(d) In the interests of public safety
(e) For the purpose of protecting public health
(f) For the purpose of assessing or collecting any tax, duty, levy or other imposition, contribution or charge payable to a Government department
(g) For any purpose (not falling within paragraphs (a) to (f) which is specified for the purposes of this subsection by an order made by the Secretary of State.

In cases where there is doubt as to whether an authorisation is required or not, it may be prudent to obtain the necessary authority verbally and then in writing by way of the forms.

Any authority given should be recorded appropriately for later reference. This should include the name of the officer authorising.

Forms should be available at the CCTV monitoring area and are included in the procedural manual.

Appendix 6

Subject Access Request Form
Request to View CCTV Footage

Request made by: Date:

Incident Details		
Location	Date:	Time Frame: From: To:
Description of Incident:		

Authorised by Manager

Signature……Date……..Time…….

Authorised by CCTV Manager

Signature……Date……..Time…….

Viewed by……Date……..Time…….

Viewed by……Date……..Time…….

Viewed by……Date……..Time…….