

THE COUNCIL OF THE CITY OF GLOUCESTER

in partnership with

**THE CHIEF CONSTABLE OF GLOUCESTERSHIRE
CONSTABULARY**

**CODE OF PRACTICE FOR THE KEEPING, MAINTENANCE AND OPERATION OF
PUBLIC SPACE CLOSED CIRCUIT TELEVISION (CCTV) IN THE CITY OF
GLOUCESTER 2017**

Certificate of Agreement

The Council of the City Of Gloucester

And

*The Chief Constable of
Gloucestershire Constabulary*

The content of this Code of Practice is hereby approved in respect of the Gloucester City Council Closed Circuit Television System and, as far as is reasonably practicable, will be complied with by all who are involved in the keeping, maintenance, management and operation of the System.

Signed for and on behalf of the Council of the City of Gloucester

Signature:

Name: John Topping **Position held:** Head of Policy and Resources

Dated the 13th day of MAY 2017

**Signed for and on behalf of the Chief Constable of Gloucestershire
Constabulary**

Signature:

Name: Gary Montrose **Position held:** ASSISTANT CHIEF CONSTABLE

Dated the 15th day of JUNE 2017

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SECTION 1: INTRODUCTION AND ADMINISTRATION

1.1 Introduction

This code ("Code") explains the principles, purposes, operation and management by the Chief Constable of Gloucestershire Constabulary ("Constabulary") of the Gloucester City Council ("Council") owned Closed Circuit Television System ("CCTV") in the administrative area of the Council. It seeks to provide accountability and reassurance to the community and general public that all those connected with the management and use of the CCTV will comply with the law and safeguard the integrity of any activity whilst ensuring the privacy of residents and visitors to the City is respected. The Code also outlines how the CCTV is operated and managed and how the community and general public may access recorded information or make complaints.

The Code underpins day-to-day practice by all those Constabulary staff directly involved in operating and managing the CCTV. All such staff will be personally issued with a copy of the Code and be expected to comply with it, as far as possible, at all times. The Code is supported by specific operational procedures for the CCTV control room at Gloucestershire Tri-Service Emergency Centre, Waterwells Drive, Waterwells Business Park, Quedgeley, Gloucester, GL2 2BP ("GTEC"). All staff connected with the management and use of the CCTV will ensure that the principles and purposes outlined in this Code and specific operational procedures for the control room are upheld at all times. Everyone with a responsibility under the terms of this Code, including visitors to the control room, must comply with all aspects of confidentiality.

The Code is also designed to satisfy the Council that the CCTV is used properly and legally.

The 'Data Controller' for data obtained by the CCTV is the Chief Constable of Gloucestershire Constabulary except where the Constabulary is acting as joint data controller with the Council. as Data Controller in common with the Council or the Council is acting alone, when the Council is carrying out its statutory enforcement functions under section 7.5.

1.2 Ownership, maintenance and housing of the CCTV

The arrangement is the Constabulary manage the CCTV but it is owned and maintained by the Council

The Constabulary have given permission to the Council to house the CTV control room in a designated room at GTEC and will not move it without the written permission of the Council.

The maintenance of the CCTV in its entirety is the sole responsibility of the Council. A contractor has been appointed by the Council to undertake both preventative and comprehensive maintenance. When a fault is reported to the contractor a response is a contractual requirement imposed by the Council as set out below:

Major Fault	<p>On site attendance by the contractor within 8 hours of fault being reported, 24x7x365 (including public holidays)</p> <p>Problem repaired or a loan item installed within 48 hours of the fault being reported (24x7x365).</p>
Other Faults	<p>On site attendance next working day.</p> <p>Problem repaired or a loan item installed within 72 hours of the fault being reported.</p>

The Constabulary's CCTV Operators are responsible for the reporting of faults and maintaining a log of all reports with the date and time. Failure of the contractor to respond should be reported to the Council maintenance contract manager by the CCTV Control Room Supervisor.

The Constabulary, through their CCTV Control Room Supervisor, will be required to exercise the day to day responsibility for the CCTV.

1.3 Administration

(a) Management

Day to day management of the CCTV will be by the Constabulary

(b) Recorded images

Recordings will be processed and handled by the Constabulary strictly in accordance with this Code.

1.4 Review, evaluation and reports

The CCTV Control Room Supervisor will accept day to day responsibility for the monitoring, operation, reporting faults to the maintenance contractor, reporting failure of the contractor to respond to the Council evaluation of the CCTV and the implementation of this Code.

Performance indicators will be produced to senior management within the Council and the Constabulary at agreed periods throughout the year. Such performance indicators will be used by the Council to review their continued financial support for the CCTV.

The Constabulary through their nominated employees or representatives should undertake regular reviews to ensure there is compliance with legal obligations and this Code. The number of requests for access to data and the number of complaints received should be used to assess public opinion of the CCTV. If the CCTV is not achieving its stated purpose modifications should be made.

In order to assess if the CCTV is achieving the stated purpose and if there is compliance with this Code, if practicable, a full review each year should take place which should assess:

- The impact upon crime in the target areas
- The impact on crime in neighbouring areas without CCTV
- Whether the purposes for which the CCTV was established and the camera locations are still relevant

In any event, a full review may be called for at any time, should there be a significant change in circumstances.

The results of these reports should be made public to satisfy the community and the general public that the use of the CCTV is subject to adequate supervision and scrutiny thereby maintaining public confidence in the respect for individual privacy. These reports will also be made available to and used by the Council to review their continued financial support for the CCTV.

SECTION 2: STATEMENT OF PURPOSE AND PRINCIPLES

2.1 Purpose

The specified objectives of the CCTV are the surveillance of public spaces within the administrative area of the Council to:

- a) Help prevent, detect and reduce crime, disorder and anti-social behaviour;
- b) Help reduce the fear of crime and provide reassurance for all those that live, work, trade and visit the City of Gloucester thereby enhancing community safety and boosting the economy;
- c) Provide evidence to assist in criminal and civil cases;
- d) Assist statutory agencies (for example police, environment agency and councils) to deploy their resources effectively;
- e) Assist in the management of the public areas covered by CCTV and support local authority enforcement and regulatory functions;
- f) Monitor traffic flow and assist in traffic management issues;
- g) Assist in civil emergencies and countering terrorism; and
- h) Assist in the training and development of staff.

2.2 General principles of operation

The CCTV will be operated in accordance with the requirements of the Human Rights Act 1998, the Information Commissioner's Code of Practice of May 2015 and Home Office Surveillance Camera Code of Practice (June 2013) or any legislation, guidance or practice that supersedes and supplements the same.

The CCTV will be operated fairly, within the law following all government codes and guidance and only for the purposes for which it was established and are identified in this Code or purposes which are subsequently agreed in accordance with this Code.

The public interest in the operation of the CCTV will be recognised by ensuring security and integrity of operational procedures.

As far as is reasonably practicable, it is intended to balance the objectives of the CCTV with the need to safeguard the individual's rights.

Legitimate public concerns exist over the use of CCTV and this Code is designed to satisfy the community and the general public that the use of the CCTV is subject to adequate supervision and scrutiny. It is of fundamental importance that public confidence is maintained by fully respecting individual privacy.

The Constabulary will and will ensure that anyone involved in managing or operating the CCTV will adhere to the following 12 guiding principles taken from the Home Office Surveillance Code of Practice (June 2013):

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.*
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.*

2.3 Copyright

Copyright and ownership of all material recorded by the CCTV will remain with the Data Controller.

2.4 CCTV coverage area

The areas covered by the CCTV to which this Code refers are in public areas within the administrative area of the Council.

From time to time transportable or mobile cameras may be temporarily sited within the Council's administrative area. The use of such cameras, and the data produced by virtue of their use, will always accord with the objectives of the CCTV and be governed by this Code.

CCTV camera capability will either be fixed or of the pan / tilt / zoom variety.

None of the cameras forming part of the CCTV will be installed in a covert manner.

The use of "dummy" cameras as part of the CCTV is strongly discouraged. The greatest deterrent value of the CCTV is its power to produce evidential material and, in doing so, to reassure those it is intended to protect.

2.5 CCTV control room and recording facilities

The Constabulary staffed CCTV control room is located at GTEC.

The CCTV has the capability of recording on all cameras simultaneously throughout every 24-hour period.

CCTV Operators are able to record from all CCTV cameras and have an area to store evidence.

All viewing and recording equipment shall only be operated by Constabulary trained and authorised CCTV Operators.

2.6 Human resources

All CCTV Operators are employed or appointed by the Constabulary and shall receive training relevant to their role.

2.7 Processing and handling recorded material

All recorded material will be strictly processed and handled in accordance with this Code.

2.8 CCTV Operators' instructions

Technical instructions on the use of equipment housed within the CCTV control room are contained in separate manuals provided by the Council contractor who supplied the CCTV equipment.

2.9 Changes to the Code

This Code, if practicable, will be jointly reviewed by the Council and the Constabulary on a formal basis once a year or whenever appropriate i.e. new legislation, guidance etc.

A minor change to the Code (such as may be required for clarification and will not have a significant impact) may be agreed in writing at proposed quarterly meetings between authorised representatives of the Constabulary and the Council.

SECTION 3: PRIVACY AND DATA PROTECTION

3.1 Public concern

Legitimate public concerns exist over the use of CCTV – this is mainly over matters pertaining to the processing of information (data) and what happens to the material that is obtained.

All personal data obtained by the CCTV shall be processed fairly and lawfully and, in particular, shall only be processed in the exercise of achieving the stated objectives of the CCTV. In processing personal data, there will be total respect for everyone's right for respect for his or her private and family life.

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

3.2 Data protection legislation

The operation of the CCTV has been notified to the Information Commissioner's Office (ICO) in accordance with current data protection legislation. The registration number of the Data Controller is

All data will be processed in accordance with the eight principles of the Data Protection Act 1998. In summary, personal data must be:

- (i) processed fairly and lawfully
- (ii) obtained and held only for the purposes specified
- (iii) only held when adequate, relevant and not excessive in relation to the purpose
- (iv) accurate and, where necessary, kept up-to-date
- (v) held for no longer than necessary
- (vi) processed in accordance with the rights of the data subject i.e. accessible to the individual identified by the data and, where appropriate, corrected or erased
- (vii) subject to appropriate technical and organisational measures against unauthorised or unlawful processing and accidental loss, destruction or damage
- (viii) not transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection

3.3 Request for information (subject access)

Individuals whose images are recorded by the CCTV have a right to view the image only relevant to themselves (personal information) and unless agreed otherwise, be provided with a copy of the images. Requests made by members of the public for CCTV images are limited to 'personal information' as required by the Data Protection Act 1998. These are called 'subject access' requests. Third party information (e.g. another's identity or vehicle registration number) will not be disclosed through such requests.

Any request from an individual for the disclosure of personal data which he / she believes is recorded by virtue of the CCTV will be directed in the first instance to Information Disclosure at the Constabulary: DPO@gloucestershire.police.uk. This will ensure that any footage is downloaded in a timely manner. CCTV data that has not been previously requested is retained on the system for a maximum of 31 days.

Any person making a request will be asked to complete a Subject Access Application form found on the Constabulary's website. A request will only be considered valid once the Constabulary has received two forms of identification confirming the applicant's name / DOB / current address, and a fee. The request must also provide sufficient information to enable the data to be located. All requests for information will be completed by the Constabulary within 40 calendar days of a valid request accompanied by all supporting information and the fee.

If the footage requested also contains the Data Subject with other identifiable individuals, the identifiable individual's footage will need to be pixelated by the Constabulary prior to releasing the footage to the Data Subject. If pixelating the footage is not possible then permission from all parties must be considered (in the context of the degree of privacy they could reasonably anticipate from being in that location at that time) in accordance with the requirements of the legislation.

3.4 Criminal Procedures and Investigations Act 1996

The Criminal Procedures and Investigations Act 1996 came into effect in April 1997 and introduced a statutory framework for the disclosure to defendants of material which the prosecution would not intend to use in the prosecution of its own case (known as unused material) Disclosure of unused material under the provisions of this Act should not be confused with obligations placed on the Data Controller by section 7 of the Data Protection Act 1998 (subject access).

SECTION 4: ACCOUNTABILITY AND PUBLIC INFORMATION

4.1 The public

For reasons of security and confidentiality, access to the CCTV control room is restricted in accordance with this Code.

The CCTV may only be used for surveillance of public areas. If private dwellings, gardens or interiors of commercial premises occur within the field of view of the cameras, measures must be taken to include privacy zones for those areas so that images captured exclude the sensitive areas.

4.2 Complaints to the Constabulary

All complaints shall be dealt with in accordance with the Constabulary's complaints procedure unless it is deemed more appropriate to refer the complaint to the Council by the CCTV Supervisor. In this latter case it will be automatically transferred to the Council and the complainant informed.

The Constabulary will ensure that every complaint is acknowledged in writing within a reasonable time period which will include advice to the complainant of the enquiry procedure to be undertaken. Formal reports will be compiled and forwarded to the nominee of the Council giving details of all complaints and the outcome of the relevant process.

4.3 Council Audits and Inspections

The Council may carry out inspections or audits to ensure that the Constabulary are using the CCTV legally and in compliance with this Code. Audits by the Council could include the examination of the CCTV control room records, histories and the content of the recorded material.

The Constabulary may postpone an inspection or audit if live operational reasons dictate. However, the Council's inspector or auditor may decide to remain onsite. If the Constabulary postpones a Council inspection or audit or the Council's representative remains on site a joint note should be made by the Constabulary and Council to provide a recorded rationale for the decision.

4.4 Constabulary staff – confidentiality and discipline

All of the Constabulary's CCTV staff are contractually subject to regulations governing confidentiality and discipline.

4.5 Public information – Freedom of Information Act 2000

The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 (“FOIA Legislation”) gives the public general right of access to information held by public authorities. The public authority must state whether it holds the information, and if it does will normally supply it within 20 working days.

When responding to requests, there are procedural requirements set out in the FOIA which a public authority must follow. There are also valid reasons for withholding information which are known as exemptions.

FOIA Legislation requests of the Constabulary need to be submitted in writing to FOI@gloucestershire.pnn.police.uk

If a request is made for images by the subject then they already have the right of access to information about themselves under the Data Protection Act 1998 – See section 3.3 – Requests for information (Subject access).

This guidance is not exhaustive and full information on FOIA issues can be found on the Information Commissioners Website – www.ico.gov.uk

For FOI requests of the Council, these need to be submitted directly to the Council.

4.6 Code of Practice

A copy of this Code shall be published on both the Council’s website and on the Constabulary’s website

4.7 Signs – public space

The community and general public should be informed of the presence of CCTV by the Council, on behalf of the Constabulary placing clearly visible signage at the boundaries of a zone covered by CCTV surveillance. The signs will indicate:

- the presence of CCTV monitoring
- the owner of the CCTV
- purpose of the CCTV monitoring
- contact telephone number for further information

SECTION 5: HUMAN RESOURCES

5.1 Staffing of the CCTV control room

The CCTV control room will be staffed in accordance with this Code. Equipment associated with the CCTV will only be operated by Constabulary authorised personnel who will have been properly trained in its use and all monitoring room procedures.

CCTV Operators will be specifically selected for the role, vetted to police standards and be trained on both the CCTV equipment procedures to an equal standard to that of the Security Industry Licensing Authority before being allowed to operate the CCTV unsupervised.

Should CCTV Operators be used who are not police or police employees they must be trained and licensed by the Security Industry Licensing Authority.

Familiarity with this Code by all CCTV personnel is essential.

All personnel involved with the management and operation of the CCTV shall receive training by the Constabulary from time to time in relation to all legislation appropriate to their role.

5.2 Discipline

Every individual with any responsibility under the terms of this Code and who has any involvement with the management or operation of the CCTV will be subject to the Constabulary disciplinary code. Any breach of this code or of any aspect of confidentiality will be dealt with in accordance with this disciplinary code.

The Constabulary will accept primary responsibility for ensuring there is no breach of security and that there is compliance with this Code. Any person involved with the management or operation of the CCTV who is found to have breached the confidentiality or security requirements of the Code will be disciplined.

5.3 Rules of conduct

The Council, the Constabulary and the general public are entitled to expect the highest standards of conduct from all staff employed in connection with the CCTV. In performing their duties such staff should act with probity, impartiality and objectivity.

All Constabulary staff employed in connection with the CCTV will be required to comply with the College of Policing Code of Ethics regarding standards of professional behaviour.

Standards of professional behaviour

These standards reflect the expectations that the professional body and the public have of the behaviour of those working in policing. They originate from the Police

(Conduct) Regulations 2012 (for police officers) and the Police Staff Council Joint Circular 54 (for police staff).

This Code has adapted the wording in the Regulations and Circular 54 so that it applies to everyone. However, in misconduct proceedings against police officers, the formal wording of the Police (Conduct) Regulations 2012 will be used in context as follows:.

1. Honesty and integrity

I will be honest and act with integrity at all times, and will not compromise or abuse my position.

2. Authority, respect and courtesy

I will act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy.

I will use my powers and authority lawfully and proportionately, and will respect the rights of all individuals.

3. Equality and diversity

I will act with fairness and impartiality. I will not discriminate unlawfully or unfairly.

4. Use of force

I will only use force as part of my role and responsibilities, and only to the extent that it is necessary, proportionate and reasonable in all the circumstances.

5. Orders and instructions

I will, as a police officer, give and carry out lawful orders only, and will abide by Police Regulations. I will give reasonable instructions only, and will follow all reasonable instructions.

6. Duties and responsibilities

I will be diligent in the exercise of my duties and responsibilities.

7. Confidentiality

I will treat information with respect, and access or disclose it only in the proper course of my duties.

8. Fitness for work

I will ensure, when on duty or at work, that I am fit to carry out my responsibilities.

9. Conduct

I will behave in a manner, whether on or off duty, which does not bring discredit on the police service or undermine public confidence in policing.

10. Challenging and reporting improper behaviour

I will report, challenge or take action against the conduct of colleagues which has fallen below the standards of professional behaviour.

5.4 Staff recruitment

The CCTV Inspector, CCTV Supervisor and CCTV Operators shall be recruited in accordance with the Constabulary's recruitment policies.

5.5 Human rights statement

The requirement for checking the background of staff employed in the CCTV control room does not impact upon an individual's human rights (Article 8 – Right to Respect for Private Life). It is considered that this is justified in order to ensure the honesty and integrity of the employee or prospective employee bearing in mind they will be handling the data of the subjects of CCTV operations and the prevention of crime. Every employee of the Constabulary is vetted to the required standard in accordance with the Force Vetting Policy.

5.6 Health

Prospective Constabulary employees will be required to submit details of their medical history prior to employment and should be able to demonstrate:

- (i) Good general health;
- (ii) Good eyesight (including colour vision) and hearing.

They should be able to demonstrate good reading, writing and verbal communication abilities and be computer literate.

Where night-time working is involved, prospective employees should be asked to confirm that there is nothing in their circumstances that would be detrimental to their working night shifts. Night-time workers should be offered the opportunity of free annual medical assessments.

All personnel will be required to undertake display screen equipment screening and compliance.

5.7 Council Staff

Council staff will be subject to the Council's own recruitment and disciplinary processes in respect of the use of personal data.

SECTION 6: CONTROL AND OPERATION OF CAMERAS

6.1 Guiding principles

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

The cameras, control equipment, recording and reviewing equipment shall at all times only be operated and managed by persons who have been trained in their use and the legislative implications of their use.

Every use of the cameras will accord with the purposes and key objectives of the CCTV and shall be in compliance with this Code. Employees or other authorised persons who misuse the cameras will be disciplined.

CCTV Operators will be mindful of exercising prejudices that may lead to complaints of the CCTV being used for purposes other than those for which it is intended. The CCTV Operators may be required to justify their interest in, or recording of, any particular individual, group of individuals or property at any time by virtue of a request by the Constabulary.

6.2 Camera locations

Cameras are sited at locations determined by operational requirements as documented by the Constabulary following the guidance in Home Office Surveillance Camera Code of Practice pursuant to section 29 of the Protection of Freedoms Act 2012.

A reference map showing the location of all fixed cameras should be readily accessible to all CCTV Operators to facilitate the tracking of incidents between areas. CCTV Operators should be aware of the target areas and primary purpose of each camera and the rationale of privacy zones. See Appendix 1 – Camera locations.

Transportable cameras do not form part of the Code but principles of purpose, target areas and privacy would also apply.

6.3 CCTV control room

The CCTV control room is located at Gloucestershire Tri-Service Emergency Centre (GTEC), Waterwells Drive, Waterwells Business Park, Quedgeley, Gloucester GL2 2BP.

The control room is staffed by employees of Gloucestershire Constabulary. The CCTV Supervisor and Operators are responsible to an Inspector. All CCTV Operators should be fully conversant with the contents of this Code and any operational procedures.

The role of the CCTV Operator is to:

- Proactively monitor and control the cameras;
- Report any criminal or suspicious behaviour to the operational police;
- Liaise with the local intelligence police officer to improve the knowledge of local known criminals/ subjects;
- Be responsible for the appropriate recordings of images;
- Communicate with the City Safe scheme when an incident is reported;
- Keep appropriate records as required in accordance with the procedural manual;
- Respond to requests for disclosure of information and complaints; and
- Operate the public address system;

6.4 Radio and public address system

When CCTV Operators are alerted to incidents which pertain to the purposes of the CCTV by use of the radio system, cameras may be used to monitor the scene of the incident. The CCTV Control Room Supervisor will assign priority of monitoring if multiple incidents are occurring simultaneously.

Certain CCTV cameras have speakers attached and the CCTV Operators should only use a public address system in the CCTV control room to issue warnings to potential perpetrators as appropriate or communicate information regarding public safety or evacuation of an area if necessary.

6.5 Control of cameras

CCTV Operators have the primary control of all cameras whilst on duty. If no CCTV Operators are available then suitably trained police or police staff may assume control of cameras for both monitoring and reviewing purposes.

6.6 Regulation of Investigatory Powers Act 2000

The CCTV was designed to be used overtly in public spaces.

Under the Regulation of Investigatory Powers Act 2000 (RIPA), certain authorities may request authorisation to use the cameras for certain types of covert surveillance during planned investigations.

Covert surveillance is when the person or persons subject to the surveillance are unaware that it is, or may be, taking place. CCTV evidence of covert surveillance obtained without the correct authorisation may be inadmissible in court.

The CCTV should not be used without the appropriate authorisation.

SECTION 7: ACCESS TO AND SECURITY OF THE CCTV CONTROL ROOM

7.1 Authorised access

Access to the Constabulary GTEC building for members of staff is via a secure electronic access card.

Visitors to the GTEC building, including staff whose normal place of work is not this building are required to sign in at reception.

The CCTV control room within GTEC also has a separate electronic access reader, which permits access to only those who work within this environment.

All staff / visitors to the building will at all times display their force identification or a visitor pass.

Access to the CCTV control room will be strictly controlled – security shall be maintained at all times.

Only those with a legitimate purpose will be permitted access to the CCTV control room. This will normally be:

- Those staff employed and trained to operate the CCTV;
- Force Control Room staff;
- Police officers with a specific interest in a criminal incident or collecting/returning media being considered for intelligence or evidential purposes;
- Council officers with a legitimate need or specific interest e.g. licensing enforcement; and
- Visitors authorised by the CCTV Control Room Supervisor in advance who have a legitimate need to access the CCTV e.g. equipment maintenance engineers, persons providing training or advice on the system.

Only the Data Controllers designated auditors of the CCTV may inspect the CCTV without prior warning.

The Constabulary's visitors' policy should always be followed.

7.2 Access to data

Access to data from the CCTV should be limited to:

- Staff employed and trained to use the CCTV;
- Police officers with a specific legitimate interest in access to the data for a policing purpose;
- A member of the Information Disclosure team following a request for the footage via a Subject Access Application or Freedom of Information request; and
- Anyone else with a specific legitimate interest in access to the data following authorisation by the designated inspector/system manager

7.3 Public access

Public access to the CCTV control room will be prohibited except for lawful, proper and sufficient reasons. Visits will not take place as a matter of routine.

Public visits will only take place with the authority of the Constabulary. Any such visits will be supervised by a designated representative of the Constabulary and recorded in writing.

All public visitors will be reminded of their obligation to confidentiality by displayed notices and signing against a declaration of confidentiality in the visitor's log.

Every public visit should be recorded as follows:

- a. Time, date and duration of visit;
- b. Name, status and signature of each visitor;
- c. Purpose of visit; and
- d. Visitor must sign the log.

Public visits may be postponed or terminated if required by the Constabulary for operational purposes.

7.4 Emergency evacuation procedure

On the occasion of the CCTV control room being within an emergency evacuation area, CCTV Operators will be expected to vacate the control room and adhere to fire evacuation procedures.

On departure from the CCTV control room, it will be secured by the CCTV control room Supervisor or their designated representative against unauthorised entry. As only individuals who have been permitted access to this area due to their role will be able to re-enter the area.

7.5 The Council as a data controller

The Constabulary recognise that from time to time the Council will need to have access to the Control Room either alone or jointly or in common with the Constabulary for the purposes of carrying out civil and criminal enforcement within its statutory powers. In these instances, where the Council is acting alone, jointly or in common in processing personal data, the Council shall be a data controller for that personal data.

The Council's registration number with the ICO is Z4765061.

SECTION 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 CCTV, but specifically includes images recorded digitally.

Every digital recording obtained by using the CCTV has the potential of containing material that has to be admitted in evidence at some point during its life span.

Members of the community and the general public must have total confidence that information recorded about their ordinary every day activities by virtue of the CCTV will be treated with due regard to their individual right to respect for their private and family life.

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

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

Recorded material will not be copied, sold, otherwise released or used for commercial purposes or for the provision of entertainment.

8.2 Retention of images

The CCTV is designed so that images captured on all cameras are automatically recorded.

Images, which are not required for the purpose of which the CCTV equipment is being used will not be retained for longer than is necessary. The general retention period is 31 days. However, on occasions, images may need to be retained for longer periods as a requirement of an investigation into crime. While images are retained, access to and security of the images will be controlled in accordance with the requirements of the Data Protection Act 1998.

Recorded material should be of high quality. In order for recorded material to be admissible in evidence total integrity and continuity must be maintained at all times.

Security measures will be taken to prevent unauthorised access, alteration, disclosure, destruction or accidental loss of recorded material.

Images retained for evidential purposes will be retained in a secure place where access is controlled.

For a period of time it may be necessary to store data from previous incidents investigated, see retention schedule for definitive time periods. Adequate secure storage for this data is required.

8.3 Quality and maintenance

In order to ensure that clear images are recorded at all times, the CCTV equipment for making recordings and the associated security equipment including help points and public address systems will be maintained in good working order with regular servicing in accordance with the manufacturer's instructions. In the event of a malfunction the CCTV equipment will be repaired within specific time scales which will be scheduled within the CCTV maintenance agreement between the Gloucester City Council and its contractor. All documentation relating to the CCTV equipment and its servicing and malfunction is to be retained in the control room and will be available for inspection and audit.

8.4 Review of recordings

When it is necessary for a CCTV Operator or a police officer or authorised other party to review a recording, the image is to be viewed from the review station with access restricted to authorised personnel only. The recording is accessed from the recording system directly. To be able to review a recording the authorised person must log onto the system and only such authorised persons will be recognised. The Manager will provide authorisation and passwords to legitimate users. A reason for the review must be provided and logged. The system will register who accessed the recordings, for what purpose and when.

If images need to be exported to an authorised third party a copy will be transferred to a DVD. Each separate incident is to be copied to a separate DVD. Two types of copying facility are available. For viewing on a conventional DVD player the require images can be copied to a DVD + or - R format. Time and date facilities can be selected on the copy. Where a master copy is required i.e. an exact copy of the original recording with time, date, digital fingerprinting and audit trail a data format file is copied to a DVD. To review this type of copy a Windows based computer is required. An electronic tracking form will remain with the data at all times for accessing the data. Any copy made without a full audit trail could have reduced evidential value.

8.5 Third party access to recordings

If images are required by third parties as evidence they will be exported to a DVD recorder and the DVD will be passed to the appropriate agency and treated as evidence. It is the responsibility of the CCTV Operator to log any viewing of images or removal of data from the system, with the date, reason for removal, crime incident number if applicable and details of the recipient. The recipient should sign for the possession of the data. Redaction of images should be considered when providing recordings to third parties.

8.6 Evidential recordings

In any court proceedings the evidence of witnesses must be described as if video evidence did not exist. CCTV Operators may be required to give evidence of what they have observed and the recording may be produced as a documentary exhibit.

All images and written records, relevant to an investigation, must be retained until a decision is taken whether to institute proceedings against a person for an offence.

If a case proceeds to court all relevant material must be retained at least until the accused is acquitted or convicted or the prosecutor decides not to proceed with the case. At the conclusion of a case the evidential recording must be re-sealed and returned to secure storage where it will be retained in accordance with a retention policy.

Under no circumstances should evidential material be retained by individual investigators after use in court.

SECTION 9: ACCESS TO IMAGES AND DISCLOSURE TO THIRD PARTIES

9.1 Access to images

Access to, and the use of, recorded material will be only for the purposes defined in this Code. Recorded material will not be copied, sold or used for commercial purposes or the provision of entertainment.

9.2 Documentation

All requests for access to the recordings should be documented. Date, time, identification of third party, reason for allowing disclosure and extent of information disclosed should be logged.

9.3 Disclosure to third parties

Disclosure to third parties should only be made in limited and prescribed circumstances relating to the purpose of the CCTV. Legitimate parties include:

- The police where an image would aid a specific criminal investigation
- Prosecution agencies
- Legal representatives
- Individuals whose images have been retained (unless disclosure would prejudice criminal proceedings)

Section 19 of the Police and Criminal Evidence Act 1984 provides the police with the power of seizure.

9.4 Use by media

In exceptional circumstances where it is decided the general public may assist in the identification of a victim, witness or perpetrator in a criminal incident images may be disclosed to the media but this must be authorised by the investigating officer.

The request is to be forwarded to the Constabulary's Communications and Engagement who will look into the request and assess whether it needs to be approved by a senior manager prior to release, for example the age of the data subject captured or the seriousness of the offence are considerations that will be taken into account.

If images are disclosed to the media, individual's images which are not the subject of identification should be pixelated

Any relevant court proceedings must have been concluded for a minimum of 28 days and there must be no appeal lodged or pending and no associated proceedings pending.

Copyright of all recorded material rests with the data controller and copies provided to the media must include a copyright warning.

9.8 Video prints

Video prints will only be made when absolutely necessary. All video prints will remain the property of the owner. The taking of video prints will be recorded in a register to be retained in the CCTV control room.

APPENDIX 1 – Camera locations

- 1 Barton Gates - Eastgate St / Barton St / Trier Way / Bruton Way
- 2 Eastgate St - Albion Chambers
- 3 Eastgate St - Eastgate Cycles
- 4 Eastgate St / Brunswick Rd (on Argos)
- 5 Eastgate Street - Boots Corner
- 6 Kings Square - Market Parade opposite Chambers
- 7 The Cross - Eastgate St / Southgate St
- 8 Westgate St / Berkeley St - opposite College St / on Shire Hall
- 9 Station Rd / Nettleton Rd Car Park
- 10 Hampden Way - Hampden Way Car Park
- 11 Pitt St / Hare Lane - rear of Sainsburys
- 12 Kings Walk Atrium - River Island / Clarence Walk
- 13 Southgate St / Parliament St - opposite Southgate House
- 14 Southgate St - opposite Greyfriars
- 15 Southgate St - opposite Longsmith St
- 16 The Cross - Westgate St / Northgate St
- 17 Northgate St - opposite the Oxbode
- 18 Worcester St / Northgate St - opposite Wilkinsons
- 19 GL1 Cambridge St
- 20 Brunswick Rd - opposite Brunswick Square
- 21 Brunswick Square - Albion St
- 22 Market Parade / Bus Station - Taxi Rank
- 23 Bus Station
- 24 Bus Station
- 27 Coney Hill Rd - opposite Compass Children's Centre
- 28 Coney Hill Rd / Westlodge Drive

- 29 Coney Hill Parade / Naunton Rd
- 33 Westgate Island
- 34 Westgate St - opposite Archdeacon Street
- 35 Westgate St / Bull Lane
- 36 Hare Lane / Park St - Sainsburys Car Park
- 37 Park Street / Gouda Way
- 38 Northgate St / Black Dog Way / London Rd / Bruton Way
- 39 Bruton Way / Station Approach
- 40 Bruton Way / opposite Metz Way
- 41 Russell St - corner of St Kilda Parade
- 42 Bruton Way - entrance to ASDA Walkway
- 43 Bruton Way - opposite The Pint Pot
- 44 Barton St / Hopewell St / Derby Rd
- 45 Wellington St - corner of Hampden Way
- 46 Cromwell Street - Hampden Way Car Park
- 47 St Michaels Square Car Park
- 48 Eastgate St - opposite Clarence St
- 49 Greyfriars / Priory Place
- 50 Southgate St - on The Tall Ships / Docks entrance
- 51 Southgate St - opposite Spa Rd
- 52 Southgate St / Bristol Rd - Peel Centre junction
- 53 Bristol Rd / Clifton Rd - on Carting centre
- 54 Longsmith St - Junction Upper Quay St
- 55 St Catherines St - opposite The Coach & Horses
- 56 Kingsholm Rd - opposite Alvin St
- 57 Station Approach / Bus Station (not currently working)
- 58 Gloucester Park

- 59 Skate Park - Trier Way / Park End Rd
- 60 Gloucester Park
- 61 Great Western Rd / Underpass
- 62 Underpass (static)
- 63 Underpass (static)
- 64 Railway Station / George St