

Milton Parish Council

Code of Practice for CCTV

1. Introduction

The aim of this Code of Practice is to ensure that Council staff involved in running the CCTV system understand the principles which govern the operation of Milton Parish Council CCTV cameras.

The purpose of CCTV cameras within Council buildings is to improve security and provide additional protection to staff and visitors.

This Code of Practice sets out the aims of the Parish Council CCTV system and how it will be used.

The systems will not be used for any other purpose than those set out in this document without prior notification to staff.

The day-to-day management of the CCTV systems within the Parish Office will be the responsibility of the following Responsible Officers: Clerk or Assistant Clerk

2. Legislation

CCTV operations are subject to legislation under:

2.1 The Data Protection Act 1998 (DPA).

All enquiries regarding Data Protection should be directed to the Clerk as the Data Controller.

2.2 Data Protection (Charges and Information) Regulations 2018

Milton Parish Council is registered with the Information Commissioner's Office as required by the Act.

2.3 The Human Rights Act 1998 (HRA).

2.4 The Freedom of Information Act 2000 (FOIA).

2.5 The Regulation of Investigatory Powers Act 2000 (RIPA).

2.6 Council policies, procedures and guidelines.

It will be rare for small building CCTV systems to be required to respond to requests for assistance under RIPA.

It is important that the operation of the Parish Council CCTV system comply with these Acts and Council policies, procedures and guidelines and this Code of Practice.

3. Purpose Statement

3.1 It is important that staff and those charged with operating the system understand exactly why the system has been introduced and what it will and will not be used for.

The key objectives of the CCTV cameras at the Parish Council Office are

- To enhance premises security.
- To protect staff in and members of the public using the Parish Office.
- To deter and detect crime.
- To assist in the identification of offenders leading to their arrest and successful prosecution.
- To discourage aggressive or violent behaviour towards staff.

- To reduce staff's fear of crime or aggressive or violent behaviour.
- To provide evidence in cases of alleged disciplinary offences by members of staff (see section 5), but the system will **not** be used to monitor flexi time or absences.

3.2 Privacy

We respect and support the individual's entitlement to go about their lawful business and this is a primary consideration in the operation of the system. Although there is inevitably some loss of privacy when CCTV cameras are installed, cameras will not be used to review the progress of individuals in the ordinary course of lawful business in the area under surveillance. Recordings of individuals imagery will only be reviewed if concerns of an offence or serious breach of discipline has been, or may be, about to be committed.

Breaches of this section of the Code of Practice by staff will be regarded as gross misconduct and will lead to disciplinary action, which may result in dismissal.

3.3 Cameras

The cameras are sited so that they are clearly visible and publicity will normally be given to the system by clear signing. This will ensure that both the maximum deterrent value is achieved and that the public and staff are clearly aware when they are in a monitored area. A copy of this Code of Practice should be available to all staff.

The system will not utilize non-functioning or "dummy cameras": although "dummy cameras" can often increase the deterrence value of a CCTV scheme, they can also dangerously mislead the public or staff, who may believe that they are in a monitored area when in fact they are not. This could compromise their safety.

The system also records sound within the Parish Office.

3.4 Viewing Images and the Provision of Evidence

The provision of evidence or viewings will normally be requested either by the police or the Staffing Committee conducting an investigation into criminal activities or disciplinary issues. The release of evidence or permission to view images may only be authorised by the Clerk or Assistant Clerk with the Chairman or Vice-Chairman. If both the Clerk and Assistant Clerk are not available then the Chairman or Vice-Chairman with another member of the council may give permission.

If the matter concerns a member of staff, this will be done by the Chairman or Vice-Chairman together with a member of the Staffing Committee (ideally the Chairman of that committee).

Once authorised, arrangements will be made to enable the investigating officer to view the images and if necessary be issued with a copy of recorded material on a memory stick or other recording method.

3.5 Breaches of the Code of Practice

Any breach of the Code of Practice is a serious matter.

Staff and Councillors who are in breach of this Code of Practice will be dealt with according to the Parish Council's disciplinary procedures – a process which could ultimately result in dismissal of staff and in the case of Councillors appropriate action.

The responsibility for guaranteeing the security of the system will rest with the Clerk and Assistant Clerk. Who will, in the first instance, investigate all breaches or allegations of breaches of security and will report his/her findings the Parish Council.

4. Recording Systems

The Parish Council CCTV system uses a digital recording system.

All staff required to operate CCTV equipment should make sure they know how to use the equipment and must conform to this Code of Practice at all times.

They will be required to sign a confidentiality statement which prohibits them from making any material available for purposes other than those stated in the Code of Practice. Any other staff having access to the equipment will also sign confidentiality statement. Once signed, the confidentiality statement should be placed in the Parish Council safe.

Except for evidential purposes images will not be copied in whole or in part.

Recorded material will not be sold or used for commercial purposes or the provision of entertainment. Images provided to the Police or other enforcement or investigatory agencies shall at no time be used for anything other than the purposes for which they were originally released.

Recording equipment will be kept in secure accommodation and no access will be granted to unauthorised staff.

Recorded materials may need to be submitted as evidence in criminal proceedings or at internal disciplinary hearings and therefore must be of good quality, and accurate in content. All material provided as evidence will be treated in accordance with clearly defined procedures either under the Police And Criminal Evidence Act (PACE) or this Code of Practice to ensure continuity of evidence and to ensure a clear audit trail.

4.2 Digital Recording System

Imagery is recorded onto a hard drive.

All cameras are in operation 24 hours a day.

Routine recordings will be retained for a period approximately 1 month on the hard disc and then they will be over written. Specific evidential material will be retained in a separate temporary file for the period of the investigation or prosecution and then be deleted.

Details of viewing of digital images will be logged in a CCTV Register, which shall be maintained by the Clerk or Assistant Clerk.

4.3 Control of Images

All images will remain the property and copyright of Milton Parish Council.

Each issue of a memory stick will be noted in the CCTV Register.

All Memory sticks will be erased prior to disposal.

4.4 Evidential Images

A record will be made in the CCTV Register of the release of any memory sticks to the Police or to other authorised applicants. A certificate, accepting responsibility for the memory stick, will be signed before the memory stick is allowed to be removed.

5. Disciplinary Offences

5.1 Images can be used in disciplinary procedures as set out in Council policies.

5.2 Tampering with cameras, monitoring or recording equipment, images or recorded data by staff will be regarded as gross misconduct and will lead to disciplinary action, which may result in dismissal or criminal prosecution.

6. Complaints

6.1 Formal complaints about the operation of a system should be addressed to the Parish Council. Formal complaints will be dealt with in accordance with the Council's complaints procedure.

CCTV SYSTEMS IN COUNCIL PREMISES

CONFIDENTIALITY STATEMENT AND UNDERTAKING

I understand that, as a councillor or as part of my contract of employment with the Council, I will be required to operate Closed Circuit Television monitoring and recording equipment (CCTV equipment) installed as part of the Council building security arrangements.

I confirm that I have had explained to me and fully understand the importance of operating and using the CCTV equipment entirely in accordance with the Code of Practice and all other instructions governing this issued to me from time to time. In particular, I understand the need to maintain confidentiality about events and/or staff or public movements seen or recorded by the CCTV equipment, unless required or authorised to disclose these in accordance with the Code of Practice.

I therefore undertake not (except in the proper course of my duties with the Council and as required or authorised by the Code of Practice), during or after my period of employment with the Council, to divulge to any person whatsoever or otherwise make use of (and will use my best endeavours to prevent the improper publication, disclosure or use of) any information about events and/or staff or public movements seen or recorded by the CCTV equipment.

I understand that any breach of this undertaking, the Code of Practice or other instructions concerning the use or operation of the CCTV equipment may amount to gross misconduct and will result in disciplinary action which may lead to my dismissal. I also understand that, if such breaches involve the supply of information or material to a third party for gain or reward, the Council will be entitled to the return of any payment (actual or in kind) received by me and will take legal action to enforce this

Signed..... Name.....

Dated.....

In the presence of (signature and name of witness).....