

This CCTV Code of Practice and Policy was adopted by the Council at its Meeting held on **20th September 2023**.

This version of the CCTV Code of Practice and Policy supersedes any previous versions.

1. INTRODUCTION

This Code of Practice and Policy applies to a closed-circuit television surveillance (CCTV) at the Public Conveniences, Gwent Shopping Centre, Tredegar.

The cameras are located on the exterior of the building for the purpose of public safety, crime prevention/detection and prosecution of offenders.

The use of CCTV promotes public confidence by developing a safe and secure environment for the benefit of those employed or using the facilities.

Tredegar Town Council is committed to the recommendations contained in the Information Commissioner's CCTV Code of Practice that can be found on the ICO website, <https://ico.org.uk/>

This document details the management, administration and operation of the CCTV system owned by Tredegar Town Council.

2. Code of Practice

2.1 Ownership

Tredegar Town Council is the Data Controller responsible for the management, administration, and security of the system.

Tredegar Town Council will ensure the protection of individuals and the public by complying with the Code of Practice.

2.2 Code of Practice Statement

To ensure that all public area CCTV systems are operated in a manner that will secure their consistent effectiveness and preserve the civil liberty of law-abiding citizens at all times.

There 12 guiding principles, of the [Surveillance Camera Code of Practice \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/) , which system operators should adopt:

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 user 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 Objectives of the CCTV scheme

The following objectives have been identified:

- To help reduce the fear of crime.
- To help deter crime.
- To aid the detection of crime and prosecution of offenders.
- To reduce instances of nuisance and vandalism.
- To assist in the safety and wellbeing of staff and the public.

Cameras have been sited to capture images that serve the objectives as identified above.

2.4 CCTV Management

Prior to the installation of any new cameras an “Impact Assessment” will be completed to determine whether CCTV is justified and how it will be operated, in compliance with the Surveillance Camera Code of Practice.

The CCTV system will be operated fairly, within the applicable law and only for the purposes for which it is established, or which are subsequently agreed in accordance with the Code of Practice.

Operators are aware of the purposes for which the CCTV system has been installed and that the CCTV equipment is only used for the identified purposes.

The CCTV system will be operated with due regard for the privacy of individuals.

The CCTV system will only be operated by trained and authorised personnel.

2.5 Signage

The CCTV system provides surveillance of the public area outside the Public Conveniences at the Gwent Shopping Centre, Tredegar.

The area protected by CCTV will be indicated by the presence of signs. The signs will be placed so that the public are aware that they are entering a zone which is covered by surveillance equipment. The signs will state the organization responsible for the scheme, the purposes of the scheme and a contact telephone number.

2.6 Release of information

Images will be released to the police in pursuance of a crime or suspected crime and to insurance companies (if authorised) in pursuance of an insurance claim.

Individuals may request to view information concerning themselves in accordance with the Data Protection Act 2018.

If a request for images is received via the Freedom of Information Act (FOIA) and the person requesting the images is the subject, these will be exempt from the FOIA and will be dealt with under the Data Protection Act 2018.

Requests not involving identification of individuals can be disclosed but only if they do not breach the data protection principles.

3. System description

3.1 Public Conveniences, Gwent Shopping Centre, Tredegar

The CCTV system comprised of two externally mount high resolution vandal resistant static dome cameras with audio:

- Camera 1: Sited on front wall above main entrance gate. Overlooks external area of main gate entrance and area towards shopping centre public access ramp/steps.
- Camera 2: Sited on front wall next to roller shutter box unit. Overlooks area inside main gate entrance and boundary fencing, external car park and area towards pedestrian crossing.

The cameras are set for 24-hour recording and all images are recorded on a device located in a locked room at the rear of the building. Images are retained for 7 days, with the oldest data overwritten as disk capacity is reached. Images will be downloaded and retained for longer if they are expected to be used as evidence in an investigation.

There is no automatic facial recognition and recordings are unmanned. The recordings will only be accessed retrospectively where the need arises i.e., criminal activity.

4. CCTV Policy

4.1 Introduction

The purpose of this policy is to regulate the management and use of the CCTV system operated by Tredegar Town Council.

The CCTV system is owned wholly by Tredegar Town Council.

Cameras will not be monitored in real time but rather recordings will be viewed retrospectively where the need arises.

The recordings are held on a hard drive system, which is password protected, and kept in a secure locked location.

This policy will be subject to regular review, which will include a review in respect of the effectiveness and necessity of the system.

4.2 Statement of Intent

The CCTV scheme will be registered with the Information Commissioner under the terms of the Data Protection Act 2018 and will seek to comply with the requirements of the Data Protection Act and The Commissioner's Code of Practice, as well as the Surveillance Camera Code of Practice published by the Home Office.

Tredegar Town Council will treat as data all CCTV recordings and relevant information.

Cameras will be used to record activities within the Council's property and the public area, previously identified, in line with the objectives of the scheme.

The cameras are set as to not focus on private homes. Gardens and other areas of private property.

Materials or knowledge secured as a result of CCTV will not be released to the media, or used for any commercial purpose, or for the purpose of entertainment. Recordings will only be released at the request of the Police and/or insurance company where the request has been validated or in respect of a subject access request (SAR).

The planning and design has endeavoured to ensure that the scheme will give maximum effectiveness and efficiency. It is not possible, however, to guarantee that the system will cover or detect every single incident taking place in the areas of coverage.

Warning signs, as required by the Code of Practice of the Information Commissioner have been placed at all access routes to the areas covered by the Council's CCTV.

4.3 Right to Privacy

Tredegar Town Council supports an individual's right to privacy and that the use of CCTV systems does not infringe on that right.

The CCTV monitor and recording system is located in a locked room with the screen powered off.

4.4 Operation of the system

The system will be administered by the Town Clerk and other authorised personnel only, in accordance with the principles and objectives expressed in the code.

The CCTV system will be in operation 24 hours each day, for every day of the year.

The system will be regularly serviced and maintained. Defects will be reported to the servicing company at the earliest convenient opportunity.

4.5 Control of software & access to the systems

Access to the CCTV software will be strictly limited to authorised personnel with a password.

The authorised personnel must satisfy themselves that all persons viewing CCTV material will have a right to do so.

The main recording equipment must be kept secure.

Other administrative functions will include controlling and maintaining downloaded digital materials, and maintenance and system access logs.

4.6 Procedure for the release of images

Recorded materials may be viewed by authorised operators investigating an incident.

Images (stills and footage) may be viewed by the Police for the detection of crime.

A record will be maintained of the release of images to the Police or other authorised applicants. A register will be available for this purpose.

Viewing of images by the Police must be recorded in writing in the logbook. Requests by the Police are allowable under section 29 of the Data Protection Act (DPA) 2018.

Should images be required as evidence, a digital copy may be released to the Police. USB hard drives and/or other mass storage devices must be supplied by the Police.

Images stored on removable devices will be encrypted and can only be played back with the relevant media software player.

The Police may require Council to retain images for possible use as evidence in the future. Such images will be securely stored at Bedwellty House until they are needed by the Police.

Applications received from outside bodies to view or release images will be referred to the Town Clerk. In these circumstances, images will normally be released where satisfactory documentary evidence is produced showing that they are required for legal proceedings, a subject access request (SAR), or in response to a Court Order.

Retention: Images will be retained for only as long as these are required. The system will automatically delete all recordings held on the main control unit, with recordings kept for seven days.

4.7 Subject access and freedom of information

The Data Protection Act (DPA) 2018 provides Data Subjects (individuals to whom “personal data” relates) with a right to access data held about themselves, including those obtained by CCTV.

Requests for Subject Access should be made in writing to the Town Clerk.

A request under the Freedom of Information Act 2000 will be accepted, where such a request is appropriate.

Advice should be sought by the Clerk from a Data Protection/Information & Governance Officer, of the local authority, before responding to a subject access or FOI request.

Care will be taken to ensure the release of data complies with current regulations and does not affect the rights and freedoms of other individuals.

4.8 Breaches of the code (including breaches of security)

Any breach of the CCTV Code of Practice and Policy will be investigated by the Town Clerk, in order for them to take any appropriate disciplinary action.

4.9 Subject access and freedom of information

A member of the public wishing to make a complaint about the system may do so to the Town Clerk.

4.10 Subject access and freedom of information

- **Town Clerk:** Email – tredegartc@btconnect.com
Telephone – 01495 722352/07434 654732
Address – Tredegar Town Council, Bedwellty House, Tredegar, Gwent NP22 3XN.
- **Data Protection/Information & Governance Officer:**
Telephone – 01495 311556
Address – BGCBC, General Offices, Steelworks Road, Ebbw Vale, Gwent NP23 6DN.
