

Horsham District Council Venues CCTV Code of Practice



November 2018



Horsham
District
Council

1. Introduction

- 1.1 This Code of Practice relates to the use of the Council Venues Closed Circuit Television (CCTV) network that operates within The Capitol, Horsham Museum, The Drill Hall, Hop Oast and Horsham District Council car parks in Horsham. These Systems are owned and managed by Horsham District Council.
- 1.2 This Code of Practice has been revised to take into account the requirements of the Surveillance Camera Code of Practice issued by the Home Secretary under Section 30 of the Protection of Freedoms Act 2012 that came into effect in August 2013.

2. Definitions and Glossary of Terms

- 2.1 Public Place – a public place is defined as any highway, and any place to which at the material time the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.
- 2.2 Council Venues CCTV System – overt Closed Circuit Television Systems with cameras located in prominent locations within council owned venues.
- 2.3 CCTV Operator – the person who is responsible for watching, controlling and recording pictures produced by CCTV cameras.

3. Legislation governing the use of CCTV

- 3.1 The Council Venues CCTV System will be operated in accordance with the requirements of the following legislation:
 - General Data Protection Regulation (GDPR)
 - Protection of Freedoms Act 2012
 - Freedom of Information Act 2000
 - Regulation of Investigatory Powers Act 2000 (where this is relevant)
 - Human Rights Act 1998
- 3.2 The requirements of both the Police and Criminal Evidence Act 1984 and the Criminal Procedures and Investigation Act 1996 will also apply to material recorded by the System for use in criminal prosecutions.

4. Purpose of the CCTV System

- 4.1 The purpose of the Council Venues CCTV System is the prevention, detection and investigation of crime and the maintenance of public order to enhance the safety of those who live, work and visit Horsham District. The System will also assist in the apprehension and prosecution of offenders.

5. Management responsibility

- 5.1 The Council Venues CCTV Systems are owned and operated by Horsham District Council.
- 5.2 The relevant council venue manager has responsibility for all aspects of the scheme that relate to the collection, processing and recording of personal video image data in their venue/s.

Freedom of Information and Subject Access requests need to be made in writing by email or letter:

Email: foi@horsham.gov.uk

Or write to:

Information Governance Officer
Horsham District Council
Parkside,
Chart Way
Horsham
RH12 1RL

For further information, see here <https://www.horsham.gov.uk/contact/contact-freedom-of-information>

6. General Principles

- 6.1 Horsham District Council supports the individual's right of privacy and would expect that this is a paramount consideration of all agencies involved in a public space CCTV System. The community at large should be satisfied that there is responsible and accountable supervision of CCTV schemes in public places. This Code of Practice will ensure that the scheme is operated fairly and within the law and operation of the scheme is fully compliant with the legislation outlined in paragraph 3.1.
- 6.2 No sound recording facility should be provided with any public CCTV System.

7. Camera Positioning

- 7.1 The installation of new CCTV cameras will be considered as part of the Council's duty under Section 17 of the Crime and Disorder Act 1998. This states that Councils must have due regard of the need to reduce crime, disorder and anti-social behaviour. When considering the installation of new cameras the following principles will be followed to ensure that they are deployed appropriately in response to a pressing need.
- 7.2 Maximum deterrent value will be achieved by having cameras clearly visible and the areas of coverage clearly indicated by the use of signage. Signs will be deployed on the main access routes into each area covered by a CCTV scheme and also at strategic locations within the designated area.
- 7.3 Cameras will be prominently situated in fixed positions, in areas to which the public have unrestricted access and within public view. No camera will be hidden or obscured and, as far as possible, all cameras should be out of risk of criminal damage.
- 7.4 Privacy Impact Assessments will be conducted to ensure that any new camera is deployed in the most appropriate place and the Council meets its obligations under the relevant legislation.

8. Monitoring

- 8.1 Horsham District Council monitors the Council Venues CCTV System and will respond, where possible, to information provided which requires police action.
- 8.2 Horsham District Council clearly cannot guarantee that all offences will be detected even when a CCTV picture of suspect(s) is available. Equally Horsham District Council cannot guarantee that where an offence has occurred that CCTV pictures of that offence will be available. Consequently Horsham District Council is unable to accept liability for any loss, damage, or injury that occurs within the areas that are monitored.
- 8.3 Horsham District Council's Venues CCTV Systems will not be used to obtain recorded evidence to prosecute minor offences unless accompanied by a more serious offence or unless it is of a nature which causes public danger or nuisance (this does not preclude the use of the Systems in connection with the Council's core business and statutory duties).
- 8.4 The use of the Council Venues CCTV Systems to obtain recorded evidence in relation to other non-serious offences will be guided by the Local Policing Plan, Police Priorities and guidance from the Crown Prosecution Service.
- 8.5 There shall be no public view of the monitors. Furthermore, images will not be captured in areas in which individuals would have an expectation of privacy.
- 8.6 Individuals who have concerns over any potential intrusion of their privacy may request a review of camera operations by writing to Horsham District Council.

9. Recorded Material

- 9.1 Recorded digital material will be retained for 30 days then the material will be deleted.
- 9.2 All captions inserted on to camera images, such as camera location, time and date will be kept accurate.
- 9.3 Under normal circumstances, there will be no public access to recorded material. Any access that is granted will be strictly controlled and supervised, according to the Data Protection principles.
- 9.4 Members of the general public may apply to view a recording made of them by writing to the Information Governance Officer at the address given in Section 5.2. Information will be provided outlining the information the applicant will need to provide to enable the images to be located and identified.
- 9.5 Viewing of images, when granted to members of the public under the provisions of the General Data Protection Regulations, will take place in a separate and restricted room to ensure confidentiality. Only the person requesting access to the material and the CCTV Manager, or a designated member of staff, will be present.
- 9.6 In criminal cases, access to recorded material must adhere fully to the Police and Criminal Evidence Act 1984 and associated Codes of Practice.
- 9.7 It is essential that digital recordings do not pass into public circulation.
- 9.8 The Copyright of all recorded digital material originated from the Venues Public Space CCTV Systems remains the property of Horsham District Council.