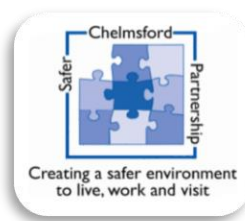


2020/2021

# Chelmsford City Council CCTV Code of Practice

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## 1. Introduction

- 1.1 Chelmsford City Council, in partnership with Essex Police and local businesses, has installed a comprehensive closed-circuit television (CCTV) surveillance system. The system primarily covers the city centre of Chelmsford, and towns of South Woodham Ferrers, Maldon and Witham, together with car parks, community shopping parades and various Council-owned premises. The initial scheme went live in 1996 and has been subject to continual improvement and expansion.
- 1.2 The system is owned and managed by Chelmsford City Council under the Directorate of Public Places. It is staffed by Council employees who are trained to a core competency standard and licensed as public space surveillance operatives in accordance with the Private Security Industry Act 2001. In addition to this full-time staff are Police accredited under the Community Safety Accreditation Scheme. The cameras are monitored 24 hours each day, 365 days a year by a minimum of two staff per shift. A video link has been installed at Chelmsford Police Station and Essex Police Force Information Room, which allows staff to relay images to the Police.
- 1.3 Making Chelmsford a safer and greener place is key priority for the City Council which includes providing attractive, high-quality green areas and public places that are clean, safe and easily accessible for all. This is identified in Our Chelmsford, Our Plan. The commitment from the City Council is to ensure that residents of, visitors to and businesses operating in Chelmsford and surrounding areas feel safe and adequately protected. Chelmsford was first awarded Purple Flag status for a safe evening economy in July 2013, which shows that the council and local partners can offer safe nights out for the general public within a busy city centre. Chelmsford was reaccredited for this important award in 2019 with the CCTV control centre being highlighted as good practice and an integral part of engaging other partners who work together to make Chelmsford a safe place. The system is directed towards providing a safer environment for the community and strives to target key crime through successful partnership working with the Community Safety Partnership (CSP).
- 1.4 Community safety hub tasking is the responsible partnership group for overseeing the operation of the system and ensuring that high standards are maintained. This is a sub-group within the Safer Chelmsford Partnership, which is our Community Safety Partnership (CSP). Safer Chelmsford consists of responsible authorities, such as Essex Police, Mid Essex CCG, Essex Fire and Rescue Service, Essex County Council and probationary services, who work in partnership with other relevant private and public agencies to reduce crime and fear of crime across the City of Chelmsford. There is signed Information Sharing Protocol between all partners attending the community safety hub tasking process.

- 1.5 This Code of Practice has been produced by the Partnership after consultation and sets out the strict principles for the regulation and use of the system to ensure compliance with the relevant legislation including data management and data retention processes in line with GDPR. This current version draws on principles of the model code of practice of the CCTV User Group, British Standard 7958:2005, ICO CCTV Code of Practice (current edition) and Home Office Surveillance Camera Code of Practice (June 2013). There is an Information Sharing Agreement (ISA) in place with Essex Police with the last review being carried out in February 2020.

## **2 Breaches of the Code**

- 2.1 Any breach of this code is a serious matter. Officers or control centre staff who are in breach of the code will be dealt with according to the disciplinary procedures of their respective employers, which could ultimately result in dismissal.

## **3 Objectives**

- 3.1 The purpose of the CCTV system referred to in this code is to impact upon crime in the areas of surveillance and surrounding environs as stated below:
- To prevent and detect crime and ensure the provision of quality evidential material for use in court
  - To reduce the fear of crime
  - To make the heart of Chelmsford and associated areas of coverage a safe, secure and attractive place for all
  - To ensure both residents and visitors can enjoy all its attractions and facilities to the full at any time of the day or night, and have the confidence to do so
  - To create an environment where established enterprise and business can flourish without the expense and disruption of criminal activity thus attracting opportunities for future growth and investment
  - To target criminal activity in key areas identified in the Safer Chelmsford Partnership's Strategic Assessment and individual sub-group action plans
  - To work in partnership to ensure that crime prevention initiatives are fully supported and perform at their optimum level.

## 4 Annual Review

- 4.1 An annual review of the system will be undertaken each financial year which will be produced by the Public Protection Manager on behalf of the partnership and made available for public inspection on the Council web site or available on request by hard copy. The report will provide current information on the extent and effectiveness of the system together with statistical information, proposals to extend or reduce policy changes and objectives for the coming year. The operation of the system will be subject to local performance indicators which will be reviewed on an annual basis.

## 5. Privacy and Public Confidence

- 5.1. All cameras are sited so that they are clearly visible and appropriate signage is in place to ensure that maximum deterrent value is achieved. The individual's entitlement to go about their lawful business is respected and supported, as a primary consideration in the operation of the system. Monitoring staff have documented training in respect of privacy laws and are fully aware of implications that improper use would result in under the Data Protection Act 1998, the Human Rights Act 1998 and the Regulation of Investigatory Persons Act 2000.
- 5.2. Many of the specific guidelines associated with this code are designed to reassure the community that the use of the cameras is subject to adequate supervision and scrutiny. Cameras will not be used to intrude upon the privacy nor monitor the progress of individual citizens in the ordinary course of lawful public or private business in the areas under surveillance. Views into residential premises or office accommodation will not be permitted. Operators will always act with utmost integrity, without exercising prejudices and must be able to justify their interest in individuals or groups under surveillance at any time by virtue of the audit of the system or by the system manager.
- 5.3. Breaches of this section of the code will be regarded as a serious disciplinary offence and will be dealt with in accordance with the Council's current procedures and code of conduct.

## 6. Control Room Operation and Administration

### Management of the System

- 6.1. The responsibility for the management of the system will be with the Public Protection Manager who will be supported by a team of technical and administrative officers. This team will deal with strategic and policy issues relating to CCTV. All officers with a direct responsibility within the control room environment will be subject to regular police checks and will require a frontline

SIA (Security Industry Authority) license. All staff are trained to a minimum of BTEC level 2 in Public Space Surveillance. The Director of Public Places, Public Health and Protection Services Manager and Public Protection Manager will hold a non-Front-Line License and have overall responsibility for CCTV and the current Safer Chelmsford portfolio holder for the directorate will oversee and agree principles with the cabinet structure at member level. The process of audit and governance will be conducted by Overview and Scrutiny Committee and an annual report will be made to the Responsible Authorities Group (One Chelmsford Board). The CCTV function will also be subject to audit with the last full audit being conducted in March 2019 with a follow up in March 2020. The function received a “moderate assurance” rating by external auditors in March 2019.

- 6.2. The system is registered with the Information Commissioner’s Office for the purpose of crime prevention and public safety. All corporate applications for the Council under the Data Protection Act 1998 are the responsibility of the Head of Legal and Democratic Services. A review of the data principles relating to surveillance is carried out on annual basis and any relevant changes will be addressed in the annual report.
- 6.3. The day to day running of the control room will be the responsibility of the Senior Community Safety Officer who will hold a back-office SIA license and ensure that the operating procedures manual remains current and reflects any changes to legislation. Such documents will be regularly reviewed and will be available to staff at all time for reference purposes on a secure SharePoint system. Preparation of the shift rota and staffing of the control centre will be included as part of this role together with documenting training and licensing records for all supervisors and operators on the Council’s I-Trent system, responding to Freedom of Information (FOI) requests and payroll management.
- 6.4. The control room will be operated on a 24-hour basis, 365 days a year. Staff will be employed directly by the Council which will run on a two-shift basis: - 07:00hrs – 19:00hrs, 19:00hrs - 07:00hrs. The control room also has a third operator system in place, not only to monitor CCTV but also to be primarily responsible for the out of hours calls made to the council. These include dealing with stray dogs, car park releases and Outh of Hours noise calls. Staff for this role will be employed directly by the council on Friday and Saturday evenings. Each shift will always have a shift supervisor and operator present unless agreed in advance with the Senior Community Safety Officer. A risk assessment is in place in the event of lone working and a business continuity plan is live and reviewed on an annual basis. Staff resources may be increased at busy operational periods such as evenings or when certain events which merit increased surveillance arise. Staff must be on shift for the hours stated unless authorized in advance.
- 6.5. All staff are subject to approved vetting procedures, which include scrutiny by Essex Police, to ensure their suitability for the work. The Council, on the advice of Essex Police, reserves the right to veto any appointment. When appointed, all control staff will be expected to undertake a BTEC Level 2 in Control Room

Practices and Principles as part of their training once they have successfully completed their probationary period. This course of training will ensure that staffs have undertaken documented training on important issues such as human rights and data protection. Staff will be licensed as public space surveillance operatives with the Security Industry Authority on completion of the course of training. Staff will also be trained under the Community Safety Accreditation Scheme and, once completed are able to use powers under the Police Reform Act (2002) Schedule 5. Suitably approved SIA licensed contractors or Council staff with appropriate DBS checks will only be used in exceptional emergency situations, which will require approval by the Public Protection Manager.

### Access to the Control Centre

- 6.6. The control room door has an access control system and will always remain secured. Routine access to the control room will be limited to duty controllers, designated officers of the Council, approved contractors, designated officers of Essex Police and police officers and police community support officers collecting evidence, undertaking approved on-going investigations and liaison visits. All persons wishing to access the CCTV control room must sign a copy of the confidentiality agreement at the commencement of and end of each visit.

The confidentiality agreement reads as follows: -

“I understand that during my visit to Chelmsford City Council’s CCTV control room I may observe images or hear radio conversations that may be of a confidential nature. I am aware that the Council operates a code of conduct for all its visitors to the control room which it expects to be adhered to. I have read and understood this Confidentiality and Code of Conduct agreement and I will not disclose any confidential information to another person unless I have obtained permission to do so from an authorised representative of Chelmsford City Council.”

### Visitors

- 6.7. Organised visits for viewing the operation of the system are arranged on a regular basis to promote the use of CCTV as a crime prevention tool, raise awareness and reduce the fear of crime. All visitors will be required to sign a copy of the confidentiality agreement at the commencement and end of each visit. Visits must be arranged in advance by letter or electronic mail with the Senior Community Safety Officer and/or the Shift Supervisor and may be subject to change or termination at short notice to meet operational requirements. For confidentiality purposes, the police airwave radio will remain switched off or to a low volume during visits and a telephone link will revert to be the primary source of contact with Essex Police. It is imperative that operations are managed with the minimum of disruption therefore casual visits will not be permitted.

## Contractors

- 6.8. Access for contractors will be necessary from time to time for the purpose of maintaining existing equipment and to carry out new installations. All contractors must sign in at the Porter's Lodge on their arrival at site unless outside normal working hours and be familiar with the Chelmsford City Council Management of Contractors Policy. Contractors are also asked to sign a copy of the confidentiality agreement at the commencement of and end of each visit. Contractors are asked to give as much notice as possible when planning to carry out works in the control room environment to avoid any disruption to the day to day running. CCTV Duty Supervisor will ensure that visits, if pre planned, are added to the CCTV calendar so all shifts are aware of any works.

The duty supervisor will ensure that any works carried out have the necessary authorisation of the management team and that they are always supervised.

## 7. Communications

### Essex Police

- 7.1. A monitor link has been provided to the helpdesk office at Chelmsford Police Station and the Force Information Room (FIR) at Essex Police Headquarters. Images from any of the cameras can be relayed to this monitor at the instigation of the controllers or at the request of the duty station officer. The police have no direct control of any cameras or images which are relayed to their monitor. A dedicated two-way voice link with Chelmsford Helpdesk is provided which must only be used for official purposes. Essex Police also have access to Townlink and Pubwatch radio networks.

### Essex Police Airwave Radio

- 7.2. The control room also benefits from the use of a police airwave radio. This radio will remain in the ownership of Essex Police and must only be used in strict accordance with the protocol set out by Essex Police. All staff must receive documented training by Essex Police prior to approval being given for the operation of its use. The continued use of this radio network is subject to annual approval by Ofcom (Office of Communications). Chelmsford City Council is currently approved on the Airwave Sharers List because it has demonstrated that it is required to respond and be involved in emergency and public safety situations, and that it is part of the communication chain that links blue-light services in emergency situations and requires instant and direct communications with the emergency services.

### Townlink

- 7.3. The control room acts as a base station for the Townlink radio network and the DCRS is the licence holder with Ofcom. This is a two-way radio network which



operates throughout the city centre and its primary use is to tackle retail crime as well as to impact upon public safety. There is a code of practice for the operation of this network and all subscribers are required to abide by these rules. This code is subject to regular reviews and system users meet on a quarterly basis to discuss its operation together with on-going crime prevention initiatives.

### Pubwatch

- 7.4. The Pubwatch network is a two-way radio link which connects the control room with a variety of pubs, nightclubs, cafes and bars. The base station is situated in the control centre together with ancillary software for its operation. The licence holder DCRS. Radios are provided by DCRS communications, who provide radios for the network. The Pubwatch members abide by a constitution which includes compliance with a code of practice, an exclusion order scheme called BOBB (Behave or Be Banned) and a DISC secure information sharing system. A committee of members meet on a monthly basis and the control room staffs assists with the administration of the scheme.

### Video Link

- 7.5. The control room has several video links with external organisations for the purpose of crime prevention and public safety. These links are recorded in accordance with a data sharing agreement with each organisation which provides consent to relay images to Essex Police in the event of an emergency. These images can be viewed by vetted staff at Essex Police at Chelmsford Police Station and the Force Information Room at Police Headquarters, Springfield. The current lists of external video links include the Meadows Shopping Centre, High Chelmer Shopping Centre, Witham Town Centre and Maldon District.
- 7.6. A video feed from cameras which relate primarily to traffic sensitive areas is shared with Essex County Council for monitoring purposes only at their traffic control centre. This Council also monitors both Sandon Park and Ride facility and Chelmer Valley Park and Ride which is managed on behalf of Essex County Council.

## 8. Direction and Control of the System

- 8.1. The management of the system is the responsibility of the Public Protection Manager. All operational requirements will be dealt with by the Senior Community Safety Officer and the CCTV Supervisor's in the first instance.
- 8.2. The system is directed towards providing a safer environment for the community and the Council will use the system for:

- Day to day monitoring of the surveillance areas
- Improving the safety, security and convenience of public car parks
- The security of Council premises, land and street furniture
- Integrated use of surveillance for emergencies and major incidents
- Directed surveillance in accordance with procedures set out by the Head of Legal and Democratic Services
- Monitoring premises using cameras and alarms owned by third parties under appropriate agreements
- Ensuring the safety of Council staff when carrying out their duties

8.3. The Police may request assistance in order to:

- Assist with the deployment of resources
- Monitor potential public disorder or other major security incidents
- Assist in the detection of crime
- Facilitate the apprehension and prosecution of offenders in relation to crime and public order
- Direct surveillance in accordance with agreed protocols
- Assist with the detection of moving traffic offences where it is considered that the public safety is at risk

8.4. Such requests will usually arise after the police have been contacted by the duty Operators through the various transmission methods available. In, circumstances where problems have been foreseen it may be necessary for approved police officers to be present throughout an incident to liaise and advise where appropriate. Such incidents should be clearly recorded on the V-TAS incident database.

### Third Party Equipment

8.5. The Council will monitor images from cameras installed by third parties subject to a formal agreement being signed between the parties. This may involve maintenance and monitoring charge being levied against the third-party dependent upon the service level agreement between the parties. Designated persons will have access to the control room by prior appointment only and such visits will be strictly for the purpose of reviewing the operation of their own equipment. Attendance will always be closely supervised, and equipment will be continued to be operated by the duty operators.

### Documentation

8.6. All records relating to the functions of the control centre are recorded on a V-TAS database. This database, which has been specifically designed for CCTV applications, is only accessible for nominated staff with approved access rights.

It is always essential that accurate and full records be maintained. The software provides a full audit history to ensure that evidence cannot be tampered with or removed after the event. Each member of staff will log on to the V-TAS database at the commencement of each shift with their personal password.

Operational Staff will be responsible for documentation of all incidents throughout each shift. Daily logs such as camera tours must be completed on a regular basis. When an incident occurs, it is essential that as much information as reasonably practicable is obtained at the time of the incident and as many fields as possible are completed. This will ensure continuity of evidence and provide essential management data. All incidents must be marked on the map provided within the database to allow crime analysis later by use of cluster mapping.

## **9. Control of Recording Media and Photographs**

### **Video Recording**

- 9.1. The control room system is supported by a permanent recording system for all cameras. This system was migrated to digital recording initially in January 2006 and then to a new Video Management System in October 2016. The servers allow cameras to have differing recording profiles dependent upon their usage. For example, a camera can be recorded at a minimum rate of 1 frame per second or a maximum rate of 25 frames a second. The recording profile for city centre will be agreed with the District Commander and reviewed on an annual basis or when operational needs warrant change. Recordings will be kept for approximately one calendar based on the profiling of each machine except for city centre cameras which may be stored for up to three months. The rationale for keeping this data for a longer period is to combat hostile reconnaissance in relation to potential acts of terrorism. All images are overwritten after this period unless required for evidential purposes. Data which is secured for evidential purposes will have a retention period of no more five years. This data will be deleted on its nearest anniversary on 1 April, 1 July, 1 October and 1 January each year.

### **Video Recording at Satellite Sites**

- 9.2. Several satellite sites are connected to the control room via a secure network (Council owned WAN) or broadband connections with a fixed IP address. These sites relate to corporate buildings, community shopping parades and other such schemes. Images are recorded at these sites but can be interrogated and downloaded at the control centre via the secure network links.

## Control of Media

- 9.3. All recording media will remain the property of the Council. Evidence is generally produced on a DVD which must be clearly and uniquely marked prior to being submitted as evidence. A full Incident log must be completed on the V-TAS database at this stage with the unique reference number (URN) being completed. When evidence is requested the protocol in the procedures manual must be strictly adhered to. This involves saving the necessary data and copying images to an independent secure network which is owned by Chelmsford City Council. A DVD can then be produced, marked in the appropriate manner, and placed in a sealed evidence bag to await collection in accordance the current procedures. If requested at the time of production, a working copy can be produced for Essex Police Officers to use in interview which will also be marked up in an appropriate manner and placed in an open evidence bag along with a written, pro forma statement. The Council is working towards digital transfer of data and has protocols in place to support this function once approved by Essex Police. GDPR legislation requires organizations to implement appropriate technical and organizational measures to ensure that personal data, such as CCTV footage, is processed securely.
- 9.4. No media shall be removed from the control room unless required for evidential, training and demonstration purposes. When media is released any person collecting must sign the media out from the control room by including: - Time, Date, Collar Number (if appropriate) Printed Name and Signature. Transferring data to any ancillary device other than the control room computers, external hard drives or for evidential requirements without the consent of the Senior Community Safety Officer will be considered a disciplinary offence.

## Access to Media

- 9.5. The principle external source of requests for access to media is expected to be from Essex Police and such requests can be dealt with by the Duty Supervisor. Requests from Police forces outside the division must be referred to the Senior Community Safety Officer.
- 9.6. Other requests for access, such as survey information for monitoring vehicular or pedestrian movements, must be made in writing or by electronic mail to the Senior Community Safety Officer, specifying the reasons for such a request. Approved reviews must always be directly supervised by the Duty Supervisor. Access to images by third parties will not normally be approved unless a formal data sharing agreement is in force relating to monitoring of the third-party images.

## 10. Disclosure of Data

- 10.1. Cameras should not be used to infringe on the individual's rights for privacy and operators are aware that misuse of the cameras might constitute a breach of law. Disclosure of data should be in strict compliance with this code and the current Council disclosure policy. Recorded material should only be used for the defined objectives in this code and access to such material should only take place in accordance with the policy and procedures. Disclosure of data for commercial or entertainment purposes is strictly prohibited.

### Request to Disclose Data

- 10.2. A request to disclose data obtained from the system may be made by third parties for the purposes of providing evidence in criminal or civil proceedings, the prevention and reduction of crime and disorder, the investigation and detection of crime (including the identifying of offenders), identifying witnesses and public interest. Parties who should be able to show adequate grounds for the purposes listed above include law enforcement agencies, statutory authorities with the power to prosecute, solicitors and other agencies (according to purpose and legal status). All requests for disclosure other than those made by Essex Police shall be made in writing to the Senior Community Safety Officer. When such requests are made it is essential that bona fide investigations are not unduly obstructed and are treated in a confidential manner.

### Subject Access Disclosure

- 10.3. Subject access rights are governed by data protection legislation. When a request is made for personal data it can be provided by allowing such data to be viewed in a controlled environment (control room accompanied by the Senior Community Safety Officer or Duty Supervisor) or in exceptional circumstances, a copy of the personal data pertaining to that person can be supplied.
- 10.4. Prior to supplying data, the validity of the request must be verified and treated in a confidential manner. The data request must have no connection with any existing data held by Essex Police or other law enforcement agencies. If such a circumstance occurs the person making the data request will be directed to the necessary agency contact.
- 10.5. Only personal data that is specific to the search request will be provided. When data is viewed in a controlled environment, other images on the data do not need obscuring. However, if a personal copy is required, the other individual personal data should be obscured. Technical staff will obscure such data using editing software within the Control Centre. A search request must provide accurate information, for example, correct time and date to within a 30-minute period. If this is not forthcoming the data controller may refuse a request until enough information is provided.

- 10.6. Any data which is requested by the media will usually be via Essex Police who must obtain the written consent of the Senior Community Safety Officer prior to releasing any such data. A release document which will take the form of a contract must be signed by both parties and clearly state what the data will be used for together with limitations on its use.

## Cameras

- 10.7. All cameras used on the system are fully overt and are fixed focus, moveable domes or pan, tilt and zoom units. Each camera location will have a camera type applicable to the chosen application. For example, the focal length of the lens may differ between locations as well as the performance ability based on light levels. All cameras are controllable by either by a FLIR keyboard or via FLIR VMS software. Staff receives documented training on each of these products prior to use. Camera locations are reviewed on an annual basis using statistical data from the V-TAS database to ensure that they are still necessary in accordance with data protection principles.

## 11. Comments, Compliments and Complaints

- 11.1. Comments on the scheme may be addressed to any officers or partnership members. However, as operational responsibility for the scheme rests with Chelmsford City Council comments should normally be made to the Public Protection Manager. Chelmsford City Council welcomes all contributions relating to the operation and performance of the services we offer to the public and there are several ways to become involved, which are listed below.
- 11.2. Formal complaints about the operation of the system should be addressed to the Public Protection Manager. Such complaints will be dealt with in accordance with the Council's current procedures. Please see: [www.chelmsford.gov.uk/comments](http://www.chelmsford.gov.uk/comments)

## 12. Contact Details

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<https://www.chelmsford.gov.uk/communities/community-safety/cctv/>