



# **CORNWALL COUNCIL PUBLIC SPACE CCTV SYSTEMS**

**OPERATION AND MANAGEMENT  
CODE OF PRACTICE**

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## Quality Assurance Control

Location of copies for public inspection - Copies of the Code may be inspected at the offices of Cornwall Council at Old County Hall Truro  
Police Headquarters at Truro  
Web copy at [www.cornwall.gov.uk/](http://www.cornwall.gov.uk/)

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Draft	March 11	David George
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## 1. **INTRODUCTION**

### 1.1 Principles

This Code of Practice is based upon the model code of practice and the principles are set out by the Local Government Information Unit in its publication "A Watching Brief" and the National Code of Practice 2008.

The key principles on which this Code of Practice is based are: -

- \* Data Protection
- \* Public Interest
- \* Voluntary Standards
- \* Accountability
- \* Privacy

### 1.2 The System

Cornwall Council took over responsibility from former district councils for public space CCTV systems in Cornwall on the 1<sup>st</sup> April 2009.

Cameras are distributed as follows:

<u>Town</u>	<u>Number of Cameras</u>
Camborne	7
Hayle	4
Helston	7
Penzance	12
Redruth	8
St Ives	8
Truro	37
Falmouth	21
Penryn	4
Newquay	21
St Austell	11
Liskeard	5
Total	145

The system consists of fully controllable colour cameras which operate and record 24 hours a day 365 days a year. Cameras are pro actively monitored on a directed information led basis. No notice is given of when cameras are being pro actively monitored. The monitoring of cameras and recording of images takes place at four CCTV control rooms in Hayle, Truro, Penzance and Liskeard.

### 1.3 Owners

The system is owned and maintained by Cornwall Council – hereafter called 'the Council' – with the exception of the system based at Liskeard CCTV Control Room where the Council operates but does not own the system.

### 1.4 Monitoring

The Council does not fund or provide CCTV monitoring services. It has – through separate agreements – permitted third parties to provide monitoring of the cameras in its control rooms. Licences have been agreed with Hayle Town Council, Truro City council and Newquay Town Council.

### 1.5 Partners

The Council will operate the systems in partnership with the Devon & Cornwall Constabulary and any Contractor appointed to monitor the system or third parties as agreed by the partners.

The responsibilities of the Partners rest with: -

(a) The Council

Tamsin Lees, Old County Hall, Truro - tel: 01872 322786

(b) Devon & Cornwall Constabulary:

Police Management Team, Truro, Cornwall – tel: 101

(c) Monitoring Contractor:

Control Room Manager Newquay – tel: 01637 854504

In east Cornwall the Council operates a system in partnership – in addition to the Police - with the town council of Liskeard.

The responsibilities for this Partnership rest with: -

a) and b) as above

b) Liskeard Town Council

Town Clerk, Council Offices, West Street, Liskeard – tel: 01579 345407

## 1.6 Ownership and Copyright of Recorded Material

All recorded material and copyright therein belongs to the Council.

No part of any material may be transmitted or reproduced in any form or by any means or stored in any way without the written consent of the Council.

Consent to use or reproduce or store any material other than for purposes set out in this Code of Practice will be withheld, except in exceptional circumstances.

## 2. **PURPOSE**

### 2.1 Principles

The 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 this Code of Practice.

The system will be operated with due regard to the privacy of the individual.

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

Participation in this system by local organisations and public authorities will depend upon their willingness to comply with this Code of Practice and to be accountable under this Code of Practice.

### 2.2 Purposes

The main purposes of the system are: -

- a reduction in the fear of crime and reassurance of the public;
- to help secure a safer environment for those who live, work or trade in the area and those who visit the area;
- the detection, deterrence and prevention of crime including:
- providing assistance in the prevention of crime;
- deterring and detecting crime;
- helping to identify, apprehend and prosecute offenders;

- providing the Police with evidence to take criminal action in the Courts;
- the maintenance of public order;
- assisting in aspects of traffic management;
- assisting in improving the Town Centre environment;
- assisting in the implementation of any Partnership Plan produced by the Safer Cornwall Partnership as required by the Crime and Disorder Act 1998 (as amended).

### 2.3 Key Objectives

The key objectives of the system are: -

- to detect or prevent crime, vandalism and public disorder in the Town Centres, particularly offences against the person.
- to contribute to measures taken to reduce the incidence crime, vandalism and public disorder in Town Centres.
- to improve communication and the operational response of Police patrols in and around the Town Centres including the command and control of major incidents.
- to improve general security in the main retail streets, both in terms of personal security and security of buildings and premises, to make the Town Centres more attractive areas to shop and work in;
- to monitor traffic flow particularly during the summer months;
- to monitor major events such as carnivals and fairs which may take place within the towns;

### 2.4 Excluding Offences and certain types of behaviour

The system will not be used to prosecute minor traffic and parking violations.

### 2.5 Provision of Evidence

Recorded material resulting from the operation of the system will normally only be made available to the Police for criminal prosecution purposes.

Recorded material will also be made available to the Council for criminal prosecutions in respect of the enforcement of Byelaws, unlawful street trading and Health and Safety offences.

On occasion, specific requests may be received from other organisations with prosecution powers such as H M Customs & Excise, the Health and Safety Executive and Trading Standards. In the event that evidence is required in connection with a prosecution which will assist in the achievement of the key objectives of the system, the evidence will be supplied if agreed by the Council and after consultation with the Police.

Any evidence supplied will be subject to an undertaking that it will only be used strictly in accordance with this Code of Practice and for the reasons for which it has been supplied.

## 2.6 Statement of Commitment

The Partners involved in the provision, use and operation of the system commit themselves to act only in accordance with the applicable law and this Code of Practice.

The Council

.....

Chief Executive

DEVON & CORNWALL CONSTABULARY:

.....

BCU Commander

CONTRACTOR:

.....

Operations Manager

Licensed Third Party (name of)

Truro City Council

.....

Officer

Responsible

Hayle Town Council  
.....

Officer

Responsible

Newquay Town Council  
.....

Officer

Responsible

Other Partners (name of)  
.....

Officer

Responsible

**DATA PROTECTION**

3.0 Registration under the Data Protection Act

The system is registered under the Data Protection Act 1998 in the name of the Council. The Partners and/or licensed Third Parties will take all necessary steps to comply with the detail and spirit of the Act and with each Partner’s Data Protection Policy.

3.1 Purpose for which data is held

Data will be held and stored only for the purpose set out in this Code of Practice and in accordance with its provisions.

4.0 **CHANGES TO THE CODE**

4.1 Review

The officers with overall responsibility identified in paragraph 1.4 will ensure that this Code of Practice will be reviewed and revised where appropriate every twelve months. Changes will be introduced as necessary to ensure the efficient operation of the system.

4.2 Major Changes

A major change is one which will have a significant impact upon the Code of Practice or the operation of the system.

A major change will only take place after consultation with relevant interested groups and agreement between the Council and the other Partners.

#### 4.3 Minor Changes

A minor change is one which may be required for clarification and which will not have a significant impact upon the Code of Practice or the operation of the system.

Minor changes will be introduced by the Council as necessary and after such consultation as is considered appropriate.

#### 4.4 Publication of Changes

All changes, whether major or minor, will be reported in the system's Annual Report.

#### 4.5 Operational Review

The Partners through their officers with responsibility for day-to-day management identified in para 6.1 will usually meet on at least a quarterly basis or as appropriate to review the operation of the system and of this Code of Practice.

However operational review will not always necessitate a meeting face to face but could take place in the form of e-mail correspondence or phone conversation/s.

The Partners will constantly review the operation of the system and of this Code of Practice and proposals for improvement will be considered at these meetings or other discussions.

### 5.0 **RESPONSIBILITIES OF THE OWNER OF THE SYSTEM**

#### 5.1 Principles

The Council as owner has primary responsibility for compliance with the purpose and objectives of the system, for management and security of the system and the protection of the interests of the public and of the individual.

#### 5.2 Implementation of the Code of Practice

The Council will ensure compliance with this Code of Practice.

Partners will ensure that adequate training is provided to Operators and Managers of the system and Police Officers using the system to ensure proper implementation of and compliance with this Code of Practice.

### 5.3 Accountability

The Council will comply with the requirements of this Code of Practice for accountability.

The Council will provide information to the public about the operation of the system and about any proposed major changes to the system or this Code of Practice.

## 6.0 **MANAGEMENT OF THE SYSTEM**

### 6.1 Day-to-day Management

Day-to-day management of the system and the requirements of this Code of Practice for the Council will be carried out by the officer appointed or delegated by the Council.

Day-to-day management of the staff engaged in the Control Centres will be the responsibility of The Council, the appointed contractor or licensed third party dependant on local arrangements for resourcing monitoring services.

Day-to-day management on the part of Devon & Cornwall Constabulary will be with the officer appointed.

These nominated Officers shall meet on a quarterly basis, or otherwise shall liaise on a regular basis, over issues arising from the day-to-day operation of the system and if appropriate, shall raise issues with their senior officers for resolution by them.

### 6.2 Review

The Officers (as identified in Section 1.4) with overall responsibility for the system on behalf of the Council, Devon and Cornwall Constabulary, contractors and /or licensed Third Parties shall meet at least every six months to review the operation of the system and the provisions of this Code of Practice or shall be consulted with via e-mail by the Responsible Officer as appropriate.

### 6.3 Operational Procedures

Operational Procedures regulating the day-to-day operation of the Control Centre shall be produced and agreed between the Partners and shall be drawn up in strict accordance with the principles of this Code of Practice.

The nominated officers responsible for day-to-day management of the system shall review the Operational Procedures as appropriate

and shall revise them as necessary to ensure the efficient operation of the system.

Changes to the Operational Procedures shall only be made if they are in accordance with the principles of this Code of Practice.

## 7.0 **INSTALLATION**

### 7.1 Consultation

The public space CCTV systems were installed following consultation between the former District Councils, Devon & Cornwall Constabulary and the Town Councils and Chambers of Commerce of the towns where cameras are located.

### 7.2 Future Installation

Any future installation of CCTV cameras and ancillary equipment will be considered in line with the advice and guidance contained in the Data Information Commissioner's CCTV Code of Practice – Revised Edition 2008 and will be subject of documented consultation with interested parties, including the community.

### 7.3 Use of Sound

No sound will be recorded by the system.

### 7.4 Change

Before the introduction of any major technological change that will have a significant effect upon the capacity and/or operation of the system the implications will be fully assessed in relation to the purpose and key objectives of the system and be the subject of public consultation.

The introduction of other changes will be fully assessed by the Partners and by agreement between them.

The consideration and/or introduction of any change will be reported in the Annual Report.

### 7.5 Dummy Cameras

Public confidence in the system should be based on effective operating cameras and dummy cameras will not be used.

## 8.0 **ACCOUNTABILITY**

### 8.1 The Public

#### (a) Code of Practice and Complaints Procedure

This Code of Practice is a public document and will be available at the offices of the Council Old County Hall Truro at Police Headquarters, Truro Police Station and on the web at [www.cornwall.gov.uk/](http://www.cornwall.gov.uk/)

The Council has a formal complaints procedure which it is intended shall be used for complaints about the system's use or operation.

#### (b) Annual Reports

An Annual Report will be published which will be a public document available as in (a) above. The report will be for the year ending 31<sup>st</sup> March in any year. The report will include reference to the number of reported incidents to the police, the number of arrests and convictions – where that information is available - made as a direct result of the system's use in relation to evidence gained, the number and type of complaints made, information as required by this Code of Practice and other such information as is felt appropriate and useful to the public.

### 8.2 The Council

The Annual Report will be presented to the Council and Partners as soon as possible after its publication in each year.

### 8.3 The Police

The Devon & Cornwall Constabulary will comply with this Code of Practice and give an account of doing so.

The Police are committed to operating and acting within this Code of Practice and the spirit of the objectives. They will co-operate with the Council and the Contractor in seeking to achieve these.

The Police will provide information quarterly about the number of incidents, arrests, convictions, crime trends etc. to the Council and will annually present a report on the effectiveness of the system.

## **9.0 PUBLIC INFORMATION**

### 9.1 Principles

The public need to understand and accept the system. For this reason the recording and retention of images of people in public places will be undertaken fairly and lawfully and information will not be used for any purpose that has not been disclosed to the public in this Code of Practice or any subsequent Annual Report. People should be aware that their image is being recorded.

### 9.2 Cameras

So far as is possible all cameras will be placed in full public view. Cameras will not be deliberately hidden although circumstances may dictate that not all cameras will be visible from all areas of sight.

### 9.3 Signs

Signs indicating that CCTV Cameras are operating will be displayed at the perimeter of the areas covered by the system, in the Town Centre car parks owned by the Council and at points within the Town Centres.

The signs will inform the public that cameras are in operation and allow people entering the area to make a reasonable approximation of the area covered by the scheme.

The signs will identify the owner of the scheme and will give an official contact telephone number.

Cameras, whilst placed within public view, will not be individually indicated by placing a sign directly under camera positions.

### 9.4 Code of Practice

This Code of Practice is a public document which will be available for inspection at the offices of the Council Old County Hall, Truro and at Police Headquarters, Truro Police Station.

Copies will be available from the Council website – [www.cornwall.gov.uk](http://www.cornwall.gov.uk) or in hard copy on request.

The availability of this Code of Practice will be publicised in connection with any publicity arranged for the system.

### 9.5 Annual Report

An Annual Report will be published by the Council and to the Devon & Cornwall Police Authority.

The Annual Report is a public document which will be available to the public for inspection as with the Code of Practice.

## 10.0 **ASSESSMENT OF THE SYSTEM AND CODE OF PRACTICE**

### 10.1 Evaluation

Effective independent evaluation of the system is essential to identify whether the purposes of the system are being complied with and whether objectives are being achieved.

Evaluation will either be conducted independently or carried out according to independently established criteria.

Evaluation of the system will include as a minimum:

- performance data;
- operation of the Code of Practice;
- whether the purposes for which the system was established still exist.

The results of evaluations will be published as part of the Annual Report.

The results of evaluations will be taken into account in the future functioning, management and operation of the system.

### 10.2 Monitoring

The person with day-to-day management of the system on the part of the Council will monitor the operation of the system and the implementation of this Code of Practice.

### 10.3 Audit

The Council, through their Internal Audit Sections, will regularly audit the operation of the system and this Code of practice.

The audit will include:

- compliance with this Code of Practice;
- compliance with the Operational Procedures;

- examination of Control Centre records, data histories and the content of recorded images.

The Police will introduce systems to monitor and audit their participation in the system including compliance with this Code of Practice. Audit will be carried out by a Police Officer, having a rank of Inspector or above.

All Partners will co-operate in the audits. Audit programmes will be agreed by the Partners and findings and results will be shared between them.

#### 10.4 Inspection

The Council shall introduce a system of independent inspection allowing the Inspectors access to records and to the Control Centre without notice.

Independent inspection will be carried out by individuals without any direct responsibility for the system and may include the appointment of an independent "lay visitor".

### 11.0 **STAFF**

#### 11.1 Principles

- all staff – including volunteers - will be trained to Security Industry Association (SIA) standards and/or as is required by law.
- staff employed or volunteers working in control rooms, whether they be operators or Site Leaders should meet high standards of probity.
- well trained and responsible staff or volunteers with good working conditions are essential for the proper and effective working of the system.
- integrity and efficiency of staff or volunteers will be achieved through effective recruitment, selection, training and management of staff or volunteers.
- volunteers will only be recruited through an accredited Volunteer Scheme.
- all procedures concerning staff should accord with employment practice incorporating equal opportunities standards.

- systems providing security and safeguards for recorded material and the system itself are the core of good management of the system.
- in the event of standards laid down in the Code not being maintained disciplinary procedures will be implemented.

### 11.2 Recruitment and Selection

Any appointed contractor or other third party will adopt procedures which enable thorough checks upon the background of individuals to be carried out to ensure that candidates selected are suitable for work in a CCTV control room. This will include Non Police Personnel Personal Vetting.

Non-disclosure of relevant matters by individuals will be the subject of disciplinary action and, if appropriate, dismissal.

### 11.3 Training

The Partners will ensure that all staff are trained to an appropriate level for the proper and effective working of the system.

The Operational Procedures agreed by the Partners shall be produced and constantly reviewed.

### 11.4 Confidentiality

All staff and volunteers will be subject to a requirement of confidentiality both during and after the termination of their employment.

## **12.0 COMPLAINTS**

### 12.1 Principles

To obtain universal recognition, the interests of all who may be affected by the system will be recognised and the operation of the system will not be confined to the interests of the system owner or the needs of the Criminal Justice system.

### 12.2 Complaints Procedure

The Council operates a complaints procedure which shall be used in connection with the operation of the system and compliance with this Code of Practice within their respective areas. Details of the complaints procedure can be obtained from the Offices of the Council.

These procedures are not intended to limit any other rights of complaint which the public may have, e.g. to the Data Protection Commissioner.

A record of all complaints received from third parties relating to the operation of the system and compliance with the Code of Practice will be kept by the Responsible Officer.

### 12.3 Police

Complaints about Police action in connection with the system should be made in accordance with the statutory Police Complaints Procedure which is available at any police station.

### 12.4 Annual Report

The Annual Report shall include information on the number of complaints received, of those complaints that have been substantiated and any action taken to remedy complaints.

Complaints which suggest a change of policy will be taken into account in any assessment of the System and the Code of Practice and will be kept by the Responsible Officer.

## **13.0 BREACHES OF THE CODE OF PRACTICE INCLUDING THOSE OF SECURITY**

### 13.1 Responsibility

Principal responsibility for the system rests with the Head of Community Safety .

They will ensure that all breaches of this Code of Practice and of security are investigated and remedied.

Where a serious breach has occurred the Council will appoint a person with relevant professional qualifications, independent from the operation of the system, to investigate the breach and make recommendations on how the breach can be remedied.

All the Partners, contractors and third parties will co-operate in the investigation of any breaches which may occur, the consideration of investigation reports and the implementation of any measures considered appropriate as a result of the investigation.

## **14.0 CONTROL AND OPERATION OF CAMERAS**

### 14.1 Principles

Information recorded should be accurate, adequate, relevant and should not exceed that necessary to fulfil the purposes of the system.

Information recorded should be obtained fairly and in accordance with the provisions of this Code of Practice on privacy.

#### 14.2 Camera Operation

The operators of camera equipment shall act with the utmost propriety at all times.

Only those staff with direct responsibility for using the equipment shall have access to the operating controls.

All use of the cameras shall accord with the purposes and key objectives of the system and shall comply with this Code of practice.

Cameras shall not be used to look into private property. Where appropriate operational procedures and technological measures will be adopted to impose restraints upon the use of cameras in connection with private premises.

Camera operators shall at all times be subject to supervision sufficient to ensure compliance with this part of the Code of Practice.

All camera operators and supervisors shall be made aware that all recordings are subject to routine audit and that they may be required to justify their interest in a member of the public or premises.

The effectiveness of individual operators shall be subject to regular review and contractors or third parties shall ensure that its operators act at all times in accordance with current best practice.

### **15.0 ACCESS TO AND SECURITY OF MONITORS AND CONTROL CENTRE**

#### 15.1 Principles

Only those with a legitimate reason to do so shall have access to the Control Centres.

Only those with a legitimate reason to do so shall operate or view the equipment and its outputs, whether recordings or photographs.

Regard shall be had to the provisions of this Code of Practice on privacy.

#### 15.2 Monitors

Access to view monitors, whether to operate the equipment or to view the images, is limited to staff with that responsibility.

A Control Centre Occurrence Book for each centre shall record staff on duty each shift and the names of any persons or groups that have been authorised by the person with day-to-day management of the system for the Council to have access to the Control Centres and/or view the monitors.

A responsible operator will be present during the operation of monitors. If monitors are to be left unattended the area in which they are kept will be secured against unauthorised entry.

Public access to or the demonstration of monitors shall not be allowed except for lawful, proper and sufficient reasons. The need to ensure security and privacy of individuals is paramount in this respect.

### 15.3 Control Centre

Arrangements for the Control Centres shall include requirements to ensure that the Control Centre is secure at all times. These shall be set out in the Operational Procedures and shall include:

- routines and procedures and any other facilities necessary to ensure that the Control Centre is protected from unauthorised access.
- records shall be kept of all access to the Control Centre recording details of the individual concerned and time of arrival and departure.
- operation times and the numbers of staff on shift shall be clearly defined and complied with.
- access to the Control Centre shall be restricted to operating staff and their Supervisor according to pre-arranged shifts and on production of valid identification.
- technical repairs and cleaning and similar tasks shall be carried out in controlled circumstances.
- access by visitors shall be carefully defined and shall be the responsibility of the Council.
- Police visits (save for those made by Police Officers with image reviewing responsibilities) shall be pre-arranged – where the Control Centre is staffed - and made in order to view, collect or return recorded images. Any other visits by Police must either comply with other provisions of this Code of Practice or the purpose of the visit shall be established, confirmed and

approved by the person with day-to-day management of the system for the Council.

- Auditors and independent inspectors appointed under the Code of Practice may visit without prior appointment (see Section 10).

#### 15.4 Supervision and Audit

Security procedures on access to the Control Centre shall be maintained and strictly honoured. Access shall be monitored and all concerned must know that security procedures on access to the Control Centre are included in the regular Audit.

#### 15.5 Occurrence Book

An Occurrence Book or log shall be maintained on the basis of time and date/day throughout operations and brief details given of all occurrences within the Control Centre, including particulars of visits and of telephone calls.

#### 15.6 Health and Safety

Compliance with Health and Safety legislation is a requirement of this Code of Practice.

### 16.0 **RECORDED MATERIAL**

#### 16.1 Principles

Recorded material may be admitted in evidence. It must be of good quality and be accurate in content. Recorded material must be treated according to defined procedures to provide continuity of evidence and to avoid contamination of the evidence.

Appropriate security measures shall be taken against unauthorised access to, alteration, disclosure, destruction or accidental loss of recorded material.

Recorded material shall be held only for the purposes provided by this Code of Practice.

Information recorded shall be accurate, adequate, relevant and not exceed that necessary to fulfil the purposes and key objectives of this system.

Recorded material shall be kept no longer than is necessary for the purposes and key objectives of the system. It shall then be safely destroyed.

Members of the public must be confident that information recorded about their ordinary activities in the area covered by the cameras is treated with regard to their individual privacy.

## 16.2 Statement of Intent

In accordance with the principles underlying this section the Council adopts the following Statement of Intent on the use of and access to recorded material:

- (a) recorded material shall be used only for purposes defined in this Code of Practice;
- (b) access to recorded material shall only take place as defined in this Code of Practice;
- (c) recorded material shall not be sold or used for commercial purposes or the provision of entertainment;
- (d) the showing of recorded material to the public shall only be allowed in accordance with the law; either in compliance with the needs of the Police in connection with the investigation of crime which will be conducted in accordance with the provisions of any relevant Code of Practice under The Police and Criminal Evidence Act 1984, The Criminal Procedure and Investigations Act 1996 and any advice and guidance given to the Police from time to time; or in other circumstances provided by the law.

## 16.3 Ownership

Ownership of recorded material and copyright in recorded material is that of the Council as owner or operator of the system.

## 16.4 Recording Equipment

Recording equipment shall be checked at least weekly to ensure it is in good working order.

## 16.5 Use of DVD's ( the term DVD shall also apply to CDs)

A supply of DVD's shall be maintained which is sufficient for the purpose downloading images of evidential value.

All DVDs shall be of a type manufactured or encrypted to prevent overwriting of downloaded material.

Images containing evidence will be saved to the hard drive of the PC provided for the express purpose of reviewing images.

Evidence will be downloaded to a DVD/CD – the Master Copy - indexed and stored securely for a maximum of 120 days.

The DVD retention policy shall be made known to the Police, the Crown Prosecution Service and the local Law Society.

DVD's shall be disposed of in a secure manner.

#### 16.6 Cataloguing, Storage and Recording of DVD's

DVD's used to record images providing evidence shall be individually and uniquely identified and labelled.

A Register shall be maintained giving the exact date and time of each use of recorded each DVD, recording the whereabouts of the DVD, the reason for its removal and the individual then responsible for it.

The Register shall be stored securely.

Staff shall be informed that the Register will be included in the regular Audit.

#### 16.7 Evidential Use of Recordings

DVDs required for evidential purposes shall be treated as exhibits and shall be retained and stored according to procedures agreed with the Police. Where appropriate, procedures will be agreed with another prosecuting authority (e.g. Customs and Excise).

Any DVD that is provided for evidential purposes must be of proven integrity.

Where applicable non police staff will provide the Police with statements required for evidential purposes.

#### 16.8 Police Access to DVDs

Police may apply for access in accordance with an agreement made with the Council where the Police reasonably believe that access to specific images is necessary for the investigation and detection of a particular offence or offences or the prevention of crime.

Police may obtain access under the provisions of the Police and Criminal Evidence Act 1984.

DVDs provided to the Police shall at no time be used for anything other than the purpose specified and identified when the DVD is released to the Police by the Control Centre.

Arrangements may be made from time-to-time for a Police Officer appointed in accordance with liaison arrangements to visit the Control Centre and confirm that agreed procedures are being followed.

#### 16.9 Access to recorded Images by Data Subjects

Under the Data Protection Act 1998 a Data Subject (i.e. the individual who is the subject of the personal data) has the right to access recorded images of themselves. This access will be facilitated using the Data Protection principles of the Council.

#### 16.10 Access to and Disclosure of Images to Third Parties

Access to and disclosure of images to third parties will be restricted to:

- law enforcement agencies where the images recorded would assist in a specific criminal enquiry;
- prosecution agencies;
- legal representatives;
- the news media, where it is assessed by the Police that the assistance of the public is needed in the identification of a victim, witness or perpetrator in relation to a criminal incident. As part of that assessment, the wishes of the victim of an incident must be taken into account;
- the people whose images have been recorded and retained (unless disclosure to an individual would prejudice the criminal enquiries or proceedings).

Any such disclosure will be in accordance with the Data Protection Act 1998 and this Code of Practice. Access and disclosure will be facilitated using the Data Protection procedures of the Council.

### 17.0 **PHOTOGRAPHS**

#### 17.1 Still Photographs

Still photographs shall not be taken as a matter of routine. The taking of each photograph must be capable of justification.

#### 17.2 Taking Still Photographs During Live Incidents

Still photographs from live incidents shall only be taken at the request of the Police Officer in charge at the scene when that Officer shall be identified and a record made of the request together with details of the incident and time and date of the request.

#### 17.3 Production of Stills

A Police Officer authorised by a Police Officer of at least the rank of Sergeant may request that an operator produce a still photograph taken at a live incident, or still photographs from video recordings.

The authorising Police Officer shall be satisfied that the still photograph is required for the prevention or detection of crime.

#### 17.4 General

All still photographs shall remain the property of the Council and shall be indexed in sequence. A record shall be kept of the reason for production of the photograph, the identity of the person requesting it, date and time, the particulars of production of a live photograph and information identifying the Control Centre staff member responsible for producing the photograph.

Any still photograph released to the Police shall be dealt with by the Police as an exhibit and shall, at no time, be used for anything other than the purpose specified and identified when released to the Police.

All still photographs shall be destroyed within 28 days unless made the subject of an application from the Police or are required as evidence. A record shall be kept of the destruction of all photographs.

The use of photographs for briefing camera operators shall be conducted strictly in accordance with advice from the Police to avoid contamination of evidence. Unless otherwise advised by the Police, photographs:

- shall not be on display and shall be kept in a binder or album, with the exception only of still photographs which are displayed on any of the display boards in the Monitoring Centre. These display boards must be covered before anyone other than staff or Police enter the Monitoring Centre;

Procedures under this part of this Code of Practice shall be the subject of monitoring and audit. A Police Officer, appointed in accordance with the liaison arrangements in this Code of Practice, shall be allowed access from time to time to check compliance with these requirements.

### **18.0 DEALING WITH INCIDENTS**

#### 18.1 Principles

Incidents shall be dealt with according to Operational Procedures agreed by the Partners and the provisions of this Code of Practice.

#### 18.2 Procedure for Dealing with Incidents

- The notification of incidents shall be a two-way flow of information between the Police and the system operators;
- When a camera operator sees a suspicious incident, the operator shall notify the Police Operations Room;
- On receiving the information the Police Operations Room staff will assess the situation, create a log, and decide the action to be taken. This may include the deployment of a resource to respond to the incident, a request for continual monitoring of the incident, a request for camera pictures to be displayed at the Operations Room or a particular Police Station (where technically available);
- All incidents reported to the Police shall be logged in the Control Centre Incident Book/Database including the time and date of incident; Log No; town incident occurred within; camera and console details used for recording of the incident; details of incident; signature of monitoring operator.

### 18.3 System Control

The control of the CCTV system rests with the Council , the appointed contractors and/or licensed third parties.

If switched through by the Control Centre all cameras operated from the Hayle CCTV Control Room can be viewed in the Police Operations Room. Cameras in the towns of Penzance, St Ives, Camborne, Redruth and Newquay can be viewed at the police station in that town. Switching will only occur to enable better Police response to particular incidents.

Cameras may also be controlled at the local police stations (where technically available). Police control of cameras will only occur when properly authorised.

Recording of cameras can only be carried out in the Control Centre with the exception of special events where additional recording may be required at a secure police station.

All viewing and/or control of cameras by the Police will be logged in the Control Centre Occurrence Book and Police logs.

## 19.0 **POLICE CONTACTS AND USE OF THE STATION**

### 19.1 Principles

Relations between Control Centre staff and representatives of the Council and the Police shall be conducted strictly in compliance with this Code of Practice. These requirements shall not be exceeded informally and the different roles and responsibilities of staff and Police shall be acknowledged and respected.

## 19.2 Routine Contact

Officers shall be identified by the Police and any contractors or licensed third parties for liaison for day-to-day purposes. Senior staff shall be nominated for liaison on audit and for decisions with significance for the operation and management of the system.

Access to recorded images and to the Control Centre shall comply with this Code of Practice and the time and date and purpose of such access shall be recorded and monitored.

The purpose of different links, which must accord with this Code of Practice and Operational Procedures, between Police and Control Centre (where technically available) shall be understood, complied with and not exceeded. Any change in these links will amount to a change in this Code of Practice and must be agreed in accordance with this Code of Practice before being implemented.

In relation to telephone calls received from the Police a note will be entered in the Operator's personal console notebook as appropriate.

## 19.3 Police Use of the System

Police use of the system in any manner must accord with this Code of Practice and protocols developed between the Council and the Police. Such protocols shall be grounded in this Code of practice and not extend beyond it nor exclude any aspects of it.

Use of or take over of control of the system shall be in clearly defined circumstances agreed according to local needs and the purposes of the system, be revised annually in the context of the local policing plan and be according to this Code of Practice.

Should a request from the Police for use of the system in any manner arise that is not provided for by this Code of Practice it shall be the subject of a specific agreement between the officers with overall responsibility for the System for the Council identified in para 1.4 and the Commander of Police.

Recording of cameras during any use or take over of control by the police shall continue to be made only at the Control Centre.

Any use of the system shall be recorded in the Control Centre Occurrence Book and by the Police and be subject to audit by both Council and Police procedures. In the Control Centre reasons for use shall be required and recorded in the Occurrence Book with particulars of date and time and the name of the Officer making the request. Records shall be retained by Police recording the same particulars and the Officer taking responsibility for the decision.

## 20 **AIRWAVES RADIOS – USE AND SECURITY**

### 20.1 Principles

The use of Airwaves radios is subject to a TEA2 User Sub-licence (Third Party) granted on the basis that the Council, through its public space cctv operation, are required to respond to emergency incidents and be in contact with, and able to alert emergency services to those incidents and ongoing information in respect of them. Use of the Airwaves system and the security of Airwaves equipment is contained in the Airwave Service Code of Practice (CoP). Compliance with this Code will dictate the policies and procedures put in place to ensure the use and security of the Airwaves radios in use at the CCTV Monitoring Rooms.

### 20.2 Roles and Responsibilities

The Chief Executive Officer (CEO) of Cornwall Council will have overall responsibility for ensuring that the Council's operational use and security of Airwaves radio terminals complies with the CoP. The CEO will delegate the responsibility for compliance (to the CoP) to a named Radio Terminal Custodian (RTC). The RTC will also be responsible for ensuring that any contractors or third parties licensed to monitor cctv and that have use of Airwaves radio terminals comply with the CoP. This will be achieved through delegated responsibilities to the cctv monitoring room manager (where appointed). A full list of roles and responsibilities is contained in Appendix A to the CoP.

### 20.3 Security Of Airwaves Radio Equipment

The Airwaves radio equipment in use within CCTV Monitoring Rooms will be restricted to one base radio unit in each room provided by the Devon and Cornwall Constabulary. Security of and secure access to this equipment is of paramount concern. The unit will be attached to cctv furniture and will not be removed from the Monitoring Room without the express approval of the RTC. The radio unit will only be used by authorised members of staff who have received training in its use, the requirements contained in the CoP and the specific policy -

refer to the 'Cornwall Council Airwaves Code' for all policies and procedures relating to the use of Airwaves Radios.

#### 20.4 Audit

The RTC will be responsible for conducting a six monthly audit of Airwaves radio equipment and its use. They will also be responsible for updating any local policies and procedures to ensure they comply with the latest version of the Airwave Service code of Practice.