



CONWY COUNTY BOROUGH COUNCIL

SURVEILLANCE CAMERA SCHEME

CODE OF PRACTICE



Partneriaeth Diogelwch Cymunedol Conwy
Mewn dwylo diogel
Conwy Community **Safety Partnership**
In safe hands

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Acknowledgements / References.

BS7958:2015 Closed Circuit Television (CCTV) – Management and Operation – Code of Practice

BS7858: 2019 Security Screening of Individuals Employed in a Security Environment – Code of Practice

Surveillance Camera Code of Practice 2013

General Data Protection Regulation (GDPR) tailored by Data Protection Act 2018

1 GLOSSARY.

<u>TERM</u>	EXPLANATION
<u>16-“Week Security Screening Period”</u>	The period in which the complete Security Screening Process must be completed.
<u>Ancillary Staff</u>	Staff employed in ‘non-relevant’ employment.
<u>BS7858:2019</u>	Code of Practice for security screening of personnel employed in a security environment
<u>BS7958:2015</u>	Closed Circuit Television (CCTV) Management and operation – Code of Practice
<u>BS EN ISO 9001</u>	Quality Management Systems – Requirements
<u>CCTV Scheme</u>	Totality of arrangements for closed circuit television in a locality including, but not limited to, the technological system, staff and operational procedures. NOTE: A whole system is not limited to equipment sited at one locality. It may include systems that use dial in/ out, wireless, wifi, transmission
<u>CCTV System</u>	Surveillance items comprising cameras and associated equipment for monitoring, transmission and controlling purposes, for use within the scheme or associated schemes footprint.
<u>Confirmed Employment</u>	Employment granted upon successful completion of security screening and any additional criteria applied by the organisation.
<u>Control Room</u>	Secure area in a building where CCTV data is monitored, retrieved and analysed.
<u>COSHH</u>	Control of Substances Harmful to Health Regulations 2002
<u>Data</u>	All information including that about a person. NOTE: In CCTV systems, this includes pictures, and any other associated, linked or processed information
<u>Data Controller</u>	A person who determines the purposes for which and in the manner in which any personal data are to be processed or disclosed
<u>Data Processor</u>	A person who processes stored data on behalf of the Data Controller

<u>DDA</u>	Disability Discrimination Act 1995
<u>GDPR</u> <u>DPA</u>	General Data Protection Regulation Data Protection Act 2018
<u>DSE</u>	Display Screen Equipment Any alphanumeric or graphic screen regardless of the display process involved. Both conventional (cathode ray tube) display screens and other display processes such as liquid crystal displays and other emerging technologies.
<u>Hard Copy Print</u>	Paper copy of an image or images, which already exist on recorded material.
<u>HSW</u>	Health and Safety at Work Act 1974.
<u>Incident</u>	Activity that raises cause for concern that an offence has been, is being, or is about to be, committed, or that an occurrence has taken place warranting specific action by an operator.
<u>Job Description</u>	A document that details the relevant activities and responsibilities associated with an identified role or position within the organisation.
<u>Manager</u>	Person appointed to supervise and enforce the implementation of the policies and procedures as defined by the owner of the scheme.
<u>Observation Mode</u>	Mode of operation of a CCTV system, whereby monitoring is carried out live, the sole purpose of which is to observe an operation in its real time and not to record, hold in memory, or print the information received.
<u>Operator</u>	Person specifically designated and authorized by the owner of a CCTV system to carry out the physical operation of controlling that system. NOTE: The meaning of the word 'operator' in the setting of The Health and Safety (Display Screen Equipment) Regulations 1992 is different to the use of the word at other parts of this document.
<u>Owner</u>	Legal person or entity, agency or individual designated as having overall responsibility for the formulation and

implementation of the policies, purposes and control of a CCTV scheme.

NOTE: The Role of Owner also includes all statutory responsibilities, including the role of 'data controller' as prescribed by DPA 2018.

<u>Particulars of Employment</u>	A document containing the various details pertaining to a new member of staff's employment including start date, job title, location, hours of work, remuneration, etc.
<u>Partner</u>	Individuals or groups who jointly have responsibility for the establishment of an organisation and its ongoing management and operation each party having equal responsibility, usually under the control of an elected executive officer.
<u>Personal Data</u>	'Data which relate to a living individual who can be identified: from those data, or <i>from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller</i> '.
<u>Processing</u>	'In relation to information or data, means obtaining, processing, recording or holding the information or data or carrying out any operation or set of operations on the information or data.
<u>Provisional Employment</u>	<u>Initial period of employment for a new individual after completion of initial security screening and during which full security screening will be completed.</u>
<u>Recorded Material</u>	Any data recorded on any medium that has the capacity to store data can later be recalled irrespective of time.
<u>Recording Material</u>	Any medium that has the capacity to store data and from which data can later be recalled irrespective of time.
<u>Relevant Employment</u>	<u>A person who, on whatever basis, is employed within the private security environment.</u>
<u>Retrieval System</u>	CCTV system having the capability, in any medium, of effectively capturing data that can later be retrieved, viewed or processed.
<u>RIPA</u>	Regulation of Investigatory Powers Act 2000
<u>SMART</u>	Specific, Measurable, Attainable, Realistic

<u>Screening Controller</u>	Individual within an organisation responsible for management of screening.
<u>Security Screening Period</u>	Period of not less than 05 years immediately prior to the commencement of relevant employment or transfer to relevant employment, or back to the date of ceasing full-time secondary education, if this date is more recent.
<u>Security Screening Process</u>	An investigative process that is intended to indicate the integrity and suitability of an applicant for employment within a security environment.
<u>Sensitive Personal Data</u>	Personal data stored within a retrieval system that is sensitive by virtue of its contents and implications i.e. data indicating the commission or alleged commission of any offences.
<u>Subject Data</u>	Images being viewed on screen whether directly from a camera or from a tape recording.
<u>Supervisor</u>	<p>Person specifically designated, trained and authorized by the owner of a scheme to ensure that at all times the system is operated in accordance with the code of practice and any procedural instruction issued by the owner or manager.</p> <p>NOTE: This may include the role and responsibilities of "data controller" (See the NOTE in the Owner section of this Glossary.)</p>
<u>User</u>	An employee who habitually uses display screen as a significant part of his normal work.
<u>Workstation</u>	A position established and equipped for the purpose of providing a suitable environment for an employee to carry out the duties associated with his/her employment.

2. FOREWORD.

This Code of Practice is intended to be used in conjunction with the detailed Procedural Manual drafted for use by the Conwy County Borough Council Camera Surveillance Scheme.

These documents along with a commitment to staff training are designed to ensure the Camera Surveillance system remains effective and is operated to a high standard of integrity and accountability.

The Code of Practice will be periodically updated to reflect legislation, UK and welsh government guidance and available best practice.

3. STATEMENT OF UNDERTAKING.

Statement of Undertaking.

Code of Practice in Respect of the Operation of the Conwy County Borough Council Camera Surveillance System

Agreed by:

Conwy County Borough Council
and North Wales Police.

The content of this Code of Practice and the Procedural Manual are hereby approved in respect of the Conwy County Borough Council Public Space Surveillance Camera System and, as far as is reasonably practicable will be complied with by all who are involved in the management and operation of the System.

Signed for and on behalf of Conwy County Borough Council and North Wales Police.

.....I.Davies.
Chief Executive,
Conwy County Borough Council.

.....Carl Foulkes
Chief Constable,
North Wales Police.

Dated.....2020.

NOTE:

This document updates and supersedes the original Code of Practice agreed between Colwyn Borough Council and North Wales Police dated 1995 and 2010

4. INTRODUCTION AND OBJECTIVES.

4.1 INTRODUCTION:

- 4.1.1 A Public Space Surveillance Camera Scheme that receives, holds or processes data about an identified person is obliged to conform to certain legislation, most importantly the General Data Protection Regulations and Data protection Act 2018 , the Human Rights Act 1998 and latterly, by virtue of registration with N.S.I. under its Gold Scheme, conformance with the relevant British Standards BS7958:2015 and BS7858:2019. This Code of Practice is designed to supplement that legislation in a model code that ensures fairness, purpose and accountability.
- 4.1.2 The Surveillance Camera System has evolved from the formation of a non-executive partnership between North Wales Police and Conwy County Borough Council. For the purpose of this document, the 'Owner' of the system is Conwy County Borough Council and the 'Manager' and therefore 'Data Controller' is the Head of Regulatory Services. Details of key personnel responsibilities and contact points are shown at **Appendix A – Key Personnel and Responsibilities** to this Code.
- 4.1.3 This Code of Practice (or 'the Code') will be supplemented by a separate Procedural Manual which stipulates instructions on all aspects of the operation of the System. To ensure the purpose and principles (see **Paragraph 5 – Statement of Purpose and Principles**) of the Surveillance Camera System are realised, the manual is based upon the principles of this Code of Practice. This Code of Practice has been agreed between those agencies and organisations involved in the development and operation of these camera schemes within the County Borough of Conwy, namely Conwy County Borough Council and North Wales Police. It is accepted as binding. The principles of this code will also apply to any other law enforcement agency who wishes to obtain video evidence.
- 4.1.4 This Code of Practice gives recommendations for the operation and management of surveillance cameras within a controlled environment,

where data that may be offered as evidence is received, stored, reviewed or analysed.

4.1.5 This code of practice is applicable to a camera scheme used in public places, which are areas where the public are encouraged to enter or have a right to visit, such as town centres, shopping malls, public transport, health, etc. and overlook a public place.

4.1.6 The purpose of the scheme is to provide a safe environment for those who live, trade, visit and work in the area. This Code is applicable to any public space surveillance camera system owned and operated by Conwy County Borough Council and is used in areas where the public have a "right to visit". These areas include:

- a) a place that is in private ownership, but where the public perceive no boundary
- b) a place where public service is offered
- c) public footpaths, roads, bridleways, etc
- d) educational establishments, hospitals
- e) sport grounds, supermarkets, housing areas.

4.2 SCHEME OBJECTIVES:

4.2.1. The main objectives of the camera schemes are summarised as:

- a) Assist in the detection, prevention and fear of crime,
- b) Facilitate the apprehension and prosecution of offenders in relation to crime and public order,
- a) Provide residents, visitors and businesses with a greater feeling of safety and security,
- b) To enhance community safety, boost the economy and encourage greater use of the town centre/shopping mall, etc.,
- c) To assist the Local Authority in its enforcement and regulatory function,
- d) To assist with traffic management,

- 4.2.2 Visual intrusion into dwellings and private office accommodation will be prevented as far as possible, in order to preserve privacy and to ensure that the Scheme is not brought into disrepute.
- 4.2.3 Conwy County Borough Council and the North Wales Police respect the individual citizen right to privacy. Every effort has been made during the design and installation of all Camera Schemes to protect this principle as far as practicably possible. If any individual is able to substantiate a reasonable claim that his/her privacy has in some way been infringed, then the matter will be considered by the Council's Complaints Procedure (also refer to **Paragraph 5.2 – Complaints Management**).
- 4.2.4 The Camera System is the property of Conwy County Borough Council and the operation is under the direct management control of the Head of Regulatory Services of Conwy County Borough Council who reports to the Council.
- 4.2.5 Camera locations within the County of Conwy are published via **www.conwy.gov.uk/cctv**
- 4.2.6 It is recognised that in the partnership between the Council and North Wales Police, it is the function of the Scheme to obtain evidential data relative to incidents within the stated objectives and the function of the Police to apprehend/arrest offenders, as it is the responsibility of the Police to process evidence for prosecution purposes.
- 4.2.7 The System will be staffed 24 hours each day, 365 days of the year. The Head of Regulatory and Housing Services will manage the system and will retain the discretion of monitoring the System according to circumstances prevailing at the time. Employees of Conwy County Borough Council will staff the Control Room.
- 4.2.8 Conwy County Borough Council recognises the importance of achieving good quality visual evidence, which may be of use in securing a conviction for a criminal offence. The responsibility for achieving such a conviction lies for policing matters with the Crown Prosecution Service. Whilst every effort will be made to ensure that the operation of the CCTV

Scheme is beyond reproach, it is clearly the responsibility of North Wales Police to ensure the authenticity of any evidence once handed over from the Control Room and for the eventual disposal of such evidence from Conwy County Borough Council.

4.3 REVIEW OF CODE OF PRACTICE AND ANNUAL REPORT:

4.3.1 Conwy County Borough Council (Scheme Owner) and North Wales Police recognize the importance of public confidence in this Camera Scheme. The Code has been drawn up following consultation. The Council and the Police will continue to evaluate the effectiveness of the cameras and the operation of the Code. The Scheme Owners will, carry out a regular review. Following each review the scheme will produce a report available to the public via www.conwy.gov.uk/cctv

4.3.3 Such a review will be conducted by the Scheme Owners together with the Data Controller and the Scheme Manager in order to ensure the effectiveness of the system. Only in conjunction with the Scheme Owners can any significant changes be made to the Code of Practice. Changes of a minor nature can be made by the Scheme Manager; however they will be subject to retrospective ratification at the next management meeting and will only be categorised as permanent and formal amendments only when confirmed during the next annual review.

4.3.4 The actions of the review will be recorded and put into practice using SMART principles.

4.3.5 The annual review will precede the compilation of an annual report for information and to be made available within the public domain via www.conwy.gov.uk/cctv

4.3.6 The report will include, but not be limited to the following topics:

- a) A description of the Scheme and the geographic boundaries of operation
- b) The Scheme's policy statement
- c) The purpose and scope of the Scheme
- d) Any changes to the operation or management of the Scheme

- e) Any changes to the policy
- f) Any proposals to expand or reduce the Scheme either in its boundaries or numbers of cameras
- g) The aims and objectives for the next review period
- h) Achievements of the Scheme during the past review period, including- (a) Number of incidents recorded and (b) Number of incidents reported to police or other prosecuting agency
- i) An assessment of the impact of the Scheme upon crime and public disorder within the Scheme boundaries.

5. STATEMENT OF PURPOSE AND PRINCIPLES.

5.1 GENERAL PRINCIPLES:

- 5.1.1 The purpose of providing surveillance cameras is to deter the incidence of crime against people and property, improve the prospects of detecting crime, prosecuting offenders, enhancing public safety and confidence by reducing the fear of criminal and anti-social behavior. In addition, it may be used for other Town Centre Management and Local Authority services at the discretion of The Scheme Managers provided such usage is compatible to the stated objectives of the Scheme.
- 5.1.2 The Scheme will be operated fairly, within the law, and only for the purposes for which it was established or which are subsequently agreed in accordance with this Code of Practice.
- 5.1.3 The Scheme will be operated with due regard to the principle that everyone has the right to respect for his or her private and family life and their home.
- 5.1.4 The public interest in the operation of the Scheme will be recognised by ensuring the security and integrity of operation procedures.
- 5.1.5 Throughout this Code of Practice it is intended, as far as reasonably possible; to offer a balance between the objectives of the Camera Scheme and the need to safeguard the individual's right to privacy. Throughout the Code every effort has been made to indicate that, a formal structure has been put in place, (including a complaints procedure) by which it should be identified that the Scheme is not only accountable, but is seen to be accountable.
- 5.1.6 Participation in the Scheme by any local organisation, individual or authority assumes an agreement by all such participants to comply fully with this Code and to be accountable under the Code of Practice.

5.2 COMPLAINTS MANAGEMENT:

The Scheme Owners have approved a complaints policy, contained in **Appendix K – Complaints Policy**, which is intended to ensure that any complaint, real or perceived is dealt with quickly and with impartiality. Any complaint received by the Scheme will be passed directly to the Scheme Manager in order to ensure a prompt appropriate response. The procedure for management of complaints is contained in **Section 18 of the Procedures Manual**.

5.3 COPYRIGHT:

Copyright and ownership of all material recorded by virtue of the Conwy County Borough Council Camera Surveillance System will remain with the Data Controller.

5.4 CAMERAS AND AREA COVERAGE:

5.4.1. Geographical areas covered by the Scheme:

Abergele
Betws Y Coed
Colwyn Bay
Conwy
Deganwy
Glan Conwy
Kinmel Bay
Llandrillo
Llandudno Junction
Llandudno
Llysfaen
Mochdre
Old Colwyn
Penmaenmawr
Rhos on Sea
Towyn
Llanwrst

Camera Locations are published www.conwy.gov.uk/cctv

5.4.2 The cameras offer full colour, pan tilt and zoom (PTZ) capability, some of which may automatically switch to monochrome in low light conditions.

5.4.3 Monochrome cameras and/or the use of white light illumination lamps may be employed if lighting/operational conditions dictate.

5.4.4 Covert/dummy cameras will not be employed.

- 5.4.5 Audio recording of public areas will not take place.
- 5.4.6 Privacy "zoning" will be employed where visual intrusion of private dwellings is likely.

5.5 MONITORING FACILITIES:

- 5.5.1 A staffed monitoring room is located within the County Borough area.
- 5.5.2 Secondary monitoring equipment is located within the North Wales Police control room and monitoring centre. However no equipment, other than that housed within the main camera control room has the capability to record images from any of the cameras.
- 5.5.3 At least one operator will be present within the Control Room throughout operation hours. Continuous camera surveillance will be maintained throughout.
- 5.5.4 At all times the control of the system will remain with Conwy County Borough Council.
- 5.5.5 The scheme will allow officers of North Wales Police or any law enforcement agency to undertake monitoring in the main camera control room, subject to permission by the Camera Scheme Manager and appropriate authorisation in respect of RIPA is produced and or in place All such events will be logged.

5.6 RECORDING FACILITIES:

- 5.6.1 Pictures relayed from every camera will be recorded. All recordings will be "overwritten" (erased) on a 31 day cycle.
- 5.6.2 There will be facilities available to transfer images to digital and removable media. All transfers of images will be logged.
- 5.6.3 ALL recordings of signals from this system remain the property of Conwy County Borough Council. No recordings are to be shown, lent, hired, sold or advised to ANY unauthorised party.
- 5.6.4 Any digital and removable media containing video images transferred / copied from the System will have an Unique Reference Number and noted in system records.

- 5.6.5 In the event of any digital or removable media being created which contain images for evidential use they will be stored in the camera control room for 28 days before destruction.
- 5.6.6 Any images, including “stills”, stored within the control room will be periodically reviewed and destroyed by the Scheme Manager.
- 5.6.7 Conwy County Borough Council will ensure that all information containing criminal evidence will only be handed to the Police or other prosecuting agency if the operator is satisfied that the nature of the evidence warrants such action.
- 5.6.15 The Data Controller is authorised to release images into the public domain, provided the action is considered to conform to the objectives of the Scheme listed in **Paragraph 4.2 – Scheme Objectives**.

5.7 EVIDENTIAL INFORMATION:

- 5.7.1 To ensure that data, whatever format, can be used in evidence, the following procedures will be followed:
The operator will register, through the Camera Management Information System:
- a) the date and time of any incident,
 - b) The date and time of creating any removable media evidence,
 - c) Relevant information regarding the incident,
 - d) Any law enforcement agency involvement.
- 5.7.2 Incident recordings will be retained for twenty eight days from recording prior to being erased or destroyed. It is recognised that it is the responsibility of North Wales Police or authorised applicants to inform the Camera Control Room if recorded evidence is required for evidential purposes and collect any such evidence within the 28 day period.
- 5.7.3 A record will be maintained on a register of the release of recorded evidence to the Police or to other authorised applicants.

- 5.7.4 In the event of an incident recorded on hard drives being required for the defence of an individual, all conditions appertaining to release of media to the Police will also apply.
- 5.7.5 All recording medium not logged will remain within the Camera Control Room
- 5.7.6 It is the responsibility of the recipient of any images obtained from the Control Room to either return the medium or confirm its destruction.

5.8 PHOTOGRAPHS:

- 5.8.1 Any image extracted from the system shall only be used to assist in achieving and maintaining the objectives of the system.
- 5.8.2 Any issue of hard copy images from the Camera system will be noted.
- 5.8.3 A file of photographs (still images) may be maintained showing appropriate cross-references to recordings.

5.9 OPERATORS INSTRUCTIONS:

- 5.9.1 Technical instructions on the use of equipment housed within the control room are contained in a separate manual provided by the equipment suppliers.

6 PRIVACY AND DATA PROTECTION.

6.1 PUBLIC CONCERN:

6.1.1 Although the majority of the public at large may have become accustomed to '*being watched*', those who do express concern do so mainly over matters pertaining to the processing of the information, (or data) i.e. what happens to the material that is obtained.

NB: Processing means obtaining, recording or holding the information or data or carrying out any operation or set of operations on the information or data, including:

- a) organisation, adaption or alteration of the information or data
- b) retrieval, consultation or use of the information or data
- c) disclosure of the information or data by transmission, dissemination or otherwise making available, or
- d) alignment, combination, blocking, erasure or destruction of the information or data.

6.1.2 All personal data obtained by virtue of the Conwy County Borough Council Camera System, shall be processed fairly and lawfully and, in particular, shall only be processed in the exercise of achieving the stated objectives of the system. In processing personal data there will be total respect for everyone's right to respect for his or her private and family life and their home..

6.2 DATA PROTECTION LEGISLATION:

6.2.1 The Conwy County Borough Council Camera System is registered with the office of the Information Commissioner with the Head of Regulatory and Housing Services being nominated as Data Controller.

6.2.2 All data will be managed in accordance with the principles of the Data Protection Act 2018 and the articles of the General Data Protection Regulation (GDPR). The Act encompasses six Data Protection Principles a summary of which follows:

- **First Data Protection Principle**

The processing of personal data for any of the law enforcement purposes must be lawful and fair. The processing of personal data for any of the law enforcement purposes is lawful only if and to the extent that it is based on law and either: (a) the data subject has given consent to the processing for that purpose, or (b) the processing is necessary for the performance of a task carried out for that purpose by a competent authority. The above conditions are covered in the purposes for which the scheme was installed. The definition of Personal Data and Special Category Personal Data can be found in Section one of this Code.
- **Second Data Protection Principle**

“Personal Data must not be processed in a manner that is incompatible with the purpose for which it was collected”.
- **Third Data Protection Principle**

“Personal data processed for any of the law enforcement purposes must be adequate, relevant and not excessive in relation to the purpose for which it is processed”.
- **Fourth Data Protection Principle**

“Personal data processed for any of the law enforcement purposes must be accurate and, where necessary, kept up to date.”
- **Fifth Protection Principle**

“Personal data processed for any of the law enforcement purposes must be kept for no longer than is necessary for the purpose for which it is processed”.
- **Sixth Data Protection Principle**

“Personal data processed for any of the law enforcement purposes must be so processed in a manner that ensures appropriate security of the personal data, using appropriate technical or organisational measures (and, in this principle, “appropriate security” includes protection against unauthorised or unlawful processing and against accidental loss, destruction or damage)”.

6.3 REQUEST FOR INFORMATION (Subject Access):

6.3 Any request from an individual for the disclosure of personal data which he/she believes is recorded by virtue of the system will be directed to Conwy County Borough Council subject access procedure via www.conwy.gov.uk/cctv Accessing Surveillance Camera Imagery.

6.4

6.5 CRIMINAL PROCEDURES AND INVESTIGATIONS ACT, 1996:

6.5.1 The Criminal Procedures and Investigations Act, 1996 came into effect in April 1997 and introduced a statutory framework for the disclosure to defendants of material which the prosecution would not intend to use in the presentation of its own case, (known as unused material). Any explanatory summary of the provisions of the Act is contained within the procedural manual, but disclosure of unused material under the provisions of this Act should not be confused with the obligations placed on the Data Controller by Section 7 of the Data Protection Act 2018 (known as subject access).

7. ACCOUNTABILITY AND PUBLIC INFORMATION.

- 7.1.1 For reasons of security and confidentiality, access to the Camera control room is restricted in accordance with this Code of Practice. However, in the interest of openness and accountability, anyone wishing to visit the room may be permitted to do so, subject to the approval of, and after making prior arrangements with, the Manager of the System.
- 7.1.2 Cameras will not be used to look into private residential property. 'Privacy zones' may be programmed into the system as required in order to ensure that the interior of any private residential property within range of the system is not surveyed by the cameras.
- 7.1.3 A member of the public wishing to register a complaint with regard to any aspect of the Conwy County Borough Council Camera System may do so by contacting following Conwy County Bough councils Complaints/compliments process available at www.conwy.gov.uk
- 7.1.4 Conwy County Borough Council, being the Scheme Owners,
- a) will receive regular and frequent reports from the manager of the Scheme
 - b) may nominate a committee with a specific responsibility for receiving and considering those reports.
 - c) Formal consultation will take place between the owners and the managers of the Scheme with regard to all aspects of the Scheme.
- 7.1.5 The nominated Scheme Manager will have day-to-day responsibility for the Scheme as a whole.
- 7.1.6 The Scheme will be audited in accordance with Conwy County Borough Councils audit process.
- 7.1.7 Statistical and other relevant information, including any complaints made, will be included in the Annual Report of Conwy County Borough Council which will be made publicly available at www.conwy.gov.uk

7.1.8 Signs: Signs will be placed in the locality of the cameras and at the main entrance points to the relevant areas, e.g. Railway and Bus stations. The signs will indicate:

- a) The presence of Camera Monitoring,
- b) The 'ownership' of the system, i.e. Conwy County Borough Council, and
- c) Contact telephone number and website address of the system.

8 ASSESSMENT OF THE SYSTEM AND CODE OF PRACTICE.

8.1 MONITORING:

The Scheme Manager will accept day to day responsibility for the monitoring, operation and evaluation of the system and the implementation of this Code of Practice.

8.2 AUDIT:

The Scheme Owners will ensure that persons not directly involved with day to day management and operational issues will be responsible for regularly auditing the operation of the Scheme and the compliance with this Code of Practice. Audits (which may be in the form of irregular spot checks) will include examination of the monitoring room records, video tape histories and the content of recorded material.

The audit function has additionally been outsourced for external verification to the National Security Inspectorate who will conduct regular audits in compliance with their audit protocol.

9 HUMAN RESOURCES.

9.1 OWNERSHIP:

The Camera Scheme is owned by the Conwy County Borough Council under the direct control of the Head of Regulatory and Housing Services.

9.2 STAFFING OF THE MONITORING ROOM:

- 9.2.1 The Camera Monitoring Room will be staffed in accordance with internal procedures. Equipment associated with the CCTV System will only be operated by authorised personnel who will have been properly trained in its use and all monitoring room procedures. Each operator will have access to, or be personally issued with a copy of both the codes of practice and procedural manual. They will be fully conversant with the contents of both documents, which may be updated from time to time, and which he/she will be expected to comply with as far as is reasonably practicable at all times. Failure by staff to comply with Codes of Practice or Procedural Manuals will be considered a severe breach of discipline and may result in disciplinary, civil or in certain circumstances criminal prosecution.
- 9.2.2 All staff recruited will be thoroughly checked and vetted in accordance with local authority procedures and in compliance with BS 7858:2019 to ensure that only people of suitable calibre and integrity are employed to monitor and operate a Public Space Camera Scheme. Completion of a suitable probationary period will be subject to validation of security checks, employment, health and other details.
- 9.2.3 Every individual who is involved with the Camera system in terms of this Code of Practice will be required to sign a declaration of confidentiality.

9.3 TRAINING:

9.3.1 The success and effectiveness of the Camera Scheme will largely depend upon its trained operators. The owners of the Scheme will ensure that all its staff are fully trained to the standard required by BS 7958:2015 and in compliance with guidelines issued by them so that maximum benefit is derived from the Scheme and a mutual understanding of working practices achieved.

Training will include:

- a) Working conditions, including terms of employment and H&S issues
- b) The use of appropriate equipment
- c) The operation of appropriate systems, including local knowledge of sites to be monitored
- d) Management of recorded material, including handling and storage of data
- e) Relevant legislation and legal issues
- f) Privacy and disclosure issues
- g) Discipline Policy.

9.3.2 Such training will be delivered in a combination of offsite classroom training and on site structured training and evaluation.

9.3.3 Both external and internal training will be evaluated with the trainees through personal interview with the Scheme Manager and completion of a training evaluation record.

9.3.4 Additional training needs for remedial purposes or for career development to a nationally recognised qualification will be evaluated on a minimum 12 monthly basis through annual appraisal.

9.4 DISCIPLINE:

- 9.4.1 Every individual with any responsibility under the terms of this Code of Practice and who has any involvement with the Camera Scheme to which they refer, will be subject to Conwy County Borough Council employment policies. Any breach of these policies or of any aspect of confidentiality will be dealt with in accordance with those procedures.
- 9.4.2 The Scheme Manager will accept primary responsibility for ensuring there is no breach of security and that the Code of Practice is complied with. They will have day to day responsibility for the management of the control room and for ensuring all relevant policies and procedures are adhered to.

9.5 DECLARATION OF CONFIDENTIALITY:

- 9.5.1 Every individual with any responsibility under the terms of this Code of Practice and who has any involvement with the Camera System to which they refer, will be required to sign a declaration of confidentiality. This includes staff and Contractors.
- 9.5.2 Every visitor to the control room will be required to sign in the visitor's book, in doing so they are signing a declaration of confidentiality appended thereto.
- 9.5.3 All Contractors and subcontractors visiting the control room for any installation or maintenance function will sign a declaration of confidentiality prior to accessing the control room. **Appendix F – Contractors Declaration of Confidentiality**, (see also **Paragraph 11.1 Condition of Access**, concerning access to the monitoring room by others).

10 CONTROL AND OPERATION OF CAMERAS.

10.1 GUIDING PRINCIPLES:

- 10.1.1 Any person operating the cameras will act with utmost probity at all times.
- 10.1.2 Every use of the cameras will accord with the purposes and key objectives of the Scheme and shall be in compliance with this Code of Practice.
- 10.1.3 Cameras will not be used to look into private residential property. 'Privacy zones' will be programmed into the Scheme whenever possible in order to ensure that the interior of any private property within range of the Scheme is not surveyed by the cameras.
- 10.1.4 Camera operators will be mindful of exercising prejudices which may lead to complaints of the Scheme being used for purposes other than those for which it is intended. The operators may be required to justify their interest in, or recording of, any particular individual, group of individuals or property at any time by virtue of the audit of the Scheme or by the System Manager.
- 10.1.5 Random audit will be undertaken by the Scheme Manager/Supervisor to ensure that all stored data has been captured in pursuance of the defined objectives of the Scheme and that the principles of the Scheme are not compromised. All random audits will be documented to include time/date of audit, data audited and outcome.
- 10.1.6 Should any Member of the Public have concerns that any camera within the system may unnecessary infringe upon their privacy they may contact the Scheme Manager who, will, if satisfied, consider and resolve the problem. If the complainant is not satisfied of this response, a further complaint will be considered in accordance with the Council's Complaints Procedure.

10.2 PRIMARY CONTROL:

Only authorised persons will have access to the operating controls.

10.3 SECONDARY CONTROL:

Secondary control will not take place.

10.4 INCIDENT PROTOCOL:

10.4.1 In the event of an incident being seen by a CCTV Operator, which he/she considers should require action he/she must note the incident and contact the appropriate emergency service or LA department. The Operator must contact the police or relevant enforcement agency if he/she observe a criminal act taking place or a person(s) acting in a suspicious manner.

10.4.2 An incident can be defined as:

(a) A circumstance, or set of circumstances that give rise to belief than an offence or public disorder situation is in progress, is about to occur or has just occurred and that the objectives of The Scheme, (prevention, detection of crime, identification of offenders or restoration of public tranquillity) can be advanced by directed surveillance.

Or

(b) In the case of the maintenance of free flow of traffic, identification of the cause of interruption in traffic flow which, by direct intervention, can be better managed or reduced.

(c) In circumstances where a person or persons are identified in circumstances that may be considered to render them vulnerable.

10.4.3 The Camera Operator must complete the Incident Report for any observed incident. All incidents will be logged by the Camera Operator.

10.4.5 Direct surveillance will only be maintained for as long as is necessary to observe the restoration of normality or until all data necessary to provide evidence to support a subsequent prosecution has been obtained.

11 ACCESS TO, AND SECURITY OF, MONITORING ROOM AND/OR ASSOCIATED EQUIPMENT.

11.1.1 The Control Room door will be security locked at all times.

11.1.2 Access to the Control Room will be strictly limited and access to visitors can only be granted by authorised persons. I.

11.1.3 Regardless of their status, all visitors to the Camera monitoring room, will be required to sign the visitor's book and the declaration of confidentiality.

11.2 SECURITY:

Authorised personnel will normally be present at all times when the equipment is in use. If the monitoring facility is to be left unattended due to an emergency situation it will be secured. In the event of the monitoring room having been evacuated for safety or security reasons, the provision of the Procedural Manual will be complied with and business continuity plan.

12. MANAGEMENT OF RECORDED MATERIAL.

12.1 GUIDING PRINCIPLES:

12.1.1 For the purposes of this Code 'recorded material' means any material recorded by, or as a result of, technical equipment which forms part of the Conwy County Borough Council public Space Surveillance System, but specifically includes images recorded, produced, held or uploaded digitally.

12.1.2 Every recording used in conjunction with the Conwy County Borough Council Camera System has the potential of containing material that has been admitted in evidence during its life span.

12.1.3 Members of the community must have total confidence that information recorded about their ordinary every day activities by virtue of the system, will be treated with due regard to their individual right to respect for their private and family life.

12.1.4 It is therefore of the utmost importance that every means of recording is treated strictly in accordance with this Code of Practice and the Procedural Manual from the moment it is delivered to the monitoring room until its final destruction.

12.1.5 Access to, and the use of, recorded material will be strictly for the purposes defined in this Code of Practice.

12.1.6 Recorded material will not be copied, sold, otherwise released or used for commercial purposes or for the provision of entertainment.

12.2 DIGITAL IMAGE RECORDING PROCEDURES

12.2.1 Adhering to the agreed management and operational procedures is crucial if the digital recordings produced are to be of sufficient evidential value and quality that they can be used for intelligence gathering purposes or as evidence to be produced in a court.

12.2.2 Time lapsed digital images are automatically recorded and are kept for 31 days on the hard drive of the recording equipment, after which the images will be overwritten. Any images retained beyond the 31 days should be archived and retained as per retention schedule, after which

all images should be deleted manually by the appropriate nominated officer

- 12.2.3 For evidential purposes each recorded image downloaded should have the correct time and date automatically embossed on it, therefore it is essential that operators periodically check that images released are correct.
- 12.2.4 If a request for access to recorded images is made within the 31 days, then only copies of the images that have been specifically requested can be downloaded. These images can be downloaded on either DVD or onto encrypted Hard Drive.
- 12.2.5 Each recorded image that is released should be endorsed with the all relevant information pertaining to what the image relates to and any unique reference numbers (URN) report numbers.
- 12.2.6 On receiving a request to view a digital recording of a particular incident, the following process should be followed: - To preserve the continuity of evidence a report should be created on the Fusion Database for either a viewing or a copy made of a digital recording, thereby creating a unique incident reference number. The report should include the following: - The name, rank or title of the person requesting the viewing or copy, The organisation that the person represents, Incident type e.g. assault theft etc, Date time and location of the incident, Police/Fire Service URN (if applicable) copy of the relevant Police form. Any additional information applicable.
- 12.2.7 Each digital image recording released should be clearly identified with the relevant incident report number, start and finish time, date of the incident and the Police/Fire Service URN (if applicable). It is important to stress to the recipient of digital image recordings that the images will at all times remain the copyright property of Conwy County Borough Council. Therefore no images should be released either wholly or partially to a third party without the written consent from Conwy. A record of all data released will be kept by the Authority as per retention schedule.

13 APPENDIX A – KEY PERSONNEL AND RESPONSIBILITIES.

13.1 OWNERSHIP:

The Owner of the Scheme is:

Conwy County Borough Council
Civic Centre, Bodlondeb, Conwy
Tel: 01492 – 575400

13.2 OWNERS RESPONSIBILITIES:

Conwy County Borough Council nominates a single point of reference as Manager and Data Controller of the System whom is the Head of Regulatory and Housing Services.

13.3 MANAGER/DATA CONTROLLER RESPONSIBILITIES:

The Manager and Data Controller of the System is:

Head of Regulatory and Housing Services, PO Box 1, Conwy, LL30 9GN

Tel: 01492 – 574000- cctv@conwy.gov.uk

The Head of Regulatory and Housing Services is responsible:

- a) to the Owner of the Camera Surveillance System,
- b) responsible for nominating a Scheme Manager,
- c) ensuring that the interests of Conwy County Borough Council are upheld in accordance with the terms of this Code of Practice,
- d) ensuring the Owners are kept up to date as to the performance of the System and changes or amendments to the Code of Practice.

13.4 SCHEME MANAGER RESPONSIBILITIES:

The Manager of the System is responsible for ensuring that the System is managed by a Scheme Manager.

The role will include a responsibility to:

- a) Maintain day to day management of the system and staff;

- b) Accept overall responsibility for the system and for ensuring that this Code of Practice is complied with;
- c) Ensure that every Operator will operate the System in accordance with the Code of Practice and Procedural Manual.
- d) Maintain close liaison with the Manager and Data Controller of the system.

16 APPENDIX D – RESTRICTED ACCESS NOTICE.



Conwy County Council Camera Surveillance Scheme

**WARNING
ACCESS TO THIS AREA IS
RESTRICTED**

**Confidentiality Document
To be noted by all visitors to the Camera Control Room**

Entry to this Camera Control Room is accepted on the condition that the Signatory agrees to abide by the confidentiality rules for Camera Surveillance and the Data Protection Act 1998 & GDPR.

In brief, these are outlined as follows:

- 1 All images viewed by persons visiting the monitoring area must be treated as confidential.
- 2 No unauthorised disclosure shall be made by any person of the content or subject matter of images, which is defined as Data under the Data Protection Act 1998.
- 3 In being permitted entry to this area you are acknowledge that the precise location of the CCTV monitoring room is, and should remain confidential.
- 4 Any breach of disclosure rules may make the person disclosing **personally** liable to **prosecution** under the Data Protection Act 2018 and General Data Protection Regulations. Any such disclosure will not be with the permission of the System Operators of Conwy County Borough Council.

Head of Public Regulatory and Housing Services.

17 APPENDIX E – OPERATORS DECLARATION OF CONFIDENTIALITY.

The Conwy County Borough Council Camera Surveillance System

I, (.....) am retained by Conwy County Borough Council to perform the duty of CCTV Operator. I have access to, or have received a copy of the Code of Practice, or any future amendments of which I am made aware. If now, or in the future, I am or become unclear of any aspect of the operation of the System or the content of the Code of Practice, I undertake to seek clarification of any such uncertainties.

I hereby declare that:

I am fully conversant with the content of that Code of Practice and understand that all duties which I undertake in connection with the Camera Control Room must not contravene any part of the current Code of Practice, or any future amendments of which I am made aware. If now, or in the future, I am or become unclear of any aspect of the operation of the System or the content of the Code of Practice, I undertake to seek clarification of any such uncertainties.

I understand that it is a condition of my employment that I do not disclose or divulge to any individual, firm, company, authority, agency or other organisation, any information which I may have acquired in the course of, or for the purposes of, my position in connection with the Camera System, verbally, in writing or by any other media, now or in the future, (including such time as I may no longer be retained in connection with the Camera System).

In appending my signature to this declaration, I agree to abide by the Code of Practice at all times. I also understand and agree to maintain confidentiality in respect of all information gained during the course of my duties, whether received verbally, in writing or any other media format – now or in the future. I am aware that failure to comply with this Code of Practice may lead to prosecution.

Signed: Print Name:

Witness: Position:

Dated theday of.....20

18 APPENDIX F – CONTRACTORS DECLARATION OF CONFIDENTIALITY.

Contractors Declaration of Confidentiality in respect of

The Conwy County Borough Council Camera Surveillance System

I, (.....) am retained by Conwy County Borough Council to perform the duties of CCTV System Maintenance/Installation Engineer on the Conwy County Borough Council Camera System with a responsibility to maintain the correct operation of the System. I have access to, or have received a copy of the Code of Practice in respect of the operation and management of that Camera System.

I hereby declare that:

I am fully conversant with my duties and the content of that Code of Practice. I undertake to inform the System Manager (and/or the System Owner) of any apparent contraventions of the Code of Practice, or system faults that I may note during the course of my visits to the monitoring facility.

If now, or in the future I am, or I become unclear of any aspect of the operation of the System or the content of The Code of Practice, I undertake to seek clarification of any such uncertainties.

I understand that it is a condition of my duties that I do not disclose or divulge to any firm, company, authority, agency, other organisation or any individual, any information which I may have acquired in the course of, or for the purposes of, my position in connection with the Camera System, verbally, in writing or by any other media, now or in the future, (including such time as I may no longer be performing the role of contractor).

In appending my signature to this declaration, I agree to abide by the Code of Practice at all times. I also understand and agree to maintain confidentiality in respect of all information gained during the course of my duties, whether received verbally, in writing or any other media format – now or in the future. I am aware that failure to comply with this Code of Practice may lead to prosecution).

Signed: Print Name:

Witness: Position:

Dated theday of.....20

19 APPENDIX G – INSPECTORS DECLARATION OF CONFIDENTIALITY.

Inspectors Declaration of Confidentiality in respect of

The Conwy County Borough Council Camera Surveillance System

I, (.....) am a voluntary inspector of the Conwy County Borough Council Camera System with a responsibility to monitor the operation of the System and adherence to the Code of Practice. I have access to, or have received a copy of the Code of Practice in respect of the operation and management of that Camera System.

I hereby declare that:

I am fully conversant with my voluntary duties and the content of that Code of Practice. I undertake to inform the System Manager (and/or the System Owner) of any apparent contraventions of the Code of Practice that I may note during the course of my visits to the monitoring facility.

If now, or in the future I am, or I become unclear of any aspect of the operation of the System or the content of The Code of Practice, I undertake to seek clarification of any such uncertainties.

I understand that it is a condition of my voluntary duties that I do not disclose or divulge to any firm, company, authority, agency, other organisation or any individual, any information which I may have acquired in the course of, or for the purposes of, my position in connection with the Camera System, verbally, in writing or by any other media, now or in the future, (including such time as I may no longer be performing the role of inspector).

In appending my signature to this declaration, I agree to abide by the Code of Practice at all times. I also understand and agree to maintain confidentiality in respect of all information gained during the course of my voluntary duties, whether received verbally, in writing or any other media format – now or in the future. I am aware that failure to comply with this Code of Practice may lead to prosecution).

Signed: Print Name:

Witness: Position:

Dated theday of.....20

22 APPENDIX J – CONTROL ROOM ACCESS.

Access to the Control Room will be limited to the following personnel.

NOTE – a named list will be kept at the Control Room and updated on a regular basis to reflect any changes.

- Head of Regulatory and Housing Services .
- Nominated/delegated authorised Officers of CCBC.
- CCTV Manager (Manager of CCTV System).
- CCTV Operators employed by the Owners.
- Technical & Engineering support staff.
- Authorised officers HMCS
- Warranted or Authorised Officers of United Kingdom law enforcement.

All other persons entering the Control Room are guests and must only be allowed entry with agreement of the Manager or Supervisor of the System. All guests must sign the visitors' book stating purpose for their visit.

3. APPENDIX K, (K1,K2,K3) – COMPLAINTS POLICY.

- 1 It is the policy of Conwy County Borough Council Scheme to ensure that all activities pursuant of the Scheme purpose and objectives shall be conducted in such a manner as to be totally transparent to all stakeholders and that the Scheme shall be answerable for any deviation from or failure to achieve those defined objectives.
- 2 The Scheme will be operated fairly, within the applicable law, and only for the defined purpose for which it was established or which are subsequently agreed in accordance with the Scheme Objectives and relevant Codes of Practice and current legislation.
- 3 The Scheme will be operated with due regard to the principle that everyone has a right to respect for his or her private or family life and the Scheme will not be used to invade the privacy of any individual.
- 4 Appropriate signage will be erected in all areas where surveillance by Cameras is in operation in order to ensure that the individual is made aware that they may be subject to direct surveillance.
- 5 Any individual who may be considered a stakeholder of the Scheme has the right to lodge a complaint against the Scheme based upon their dissatisfaction, perceived or real, of the objectives, operation or management of the Scheme.
- 6 The Scheme Owners/Partners undertake to observe the confidentiality of any such complainant whilst causing the complaint to be fully investigated with objectivity and impartiality. In the event that the complainant is dissatisfied with the outcome then the complaint shall be made subject to external review.
- 7 The Owners/Partners of the Scheme are committed to the maintenance of stakeholder confidence in the Scheme by maintaining an atmosphere of approachability, accountability and transparency in all main and support activities associated with the Scheme.
- 8 The means by which this policy will be implemented has been documented in a procedure against which the Scheme will be subject to regular audits to ensure its ongoing compliance