

## OVERVIEW AND SCRUTINY

**DATE OF MEETING: 19 DECEMBER 2023**

**TITLE OF REPORT: REPORT OF CCTV TASK & FINISH GROUP**

**REPORT OF: CCTV TASK & FINISH GROUP**

**MEMBERS: FARMER, DAVIES, VERNON**

**KEY DECISION: NO**

**CONFIDENTIALITY: NON-EXEMPT**

## PURPOSE OF REPORT

1. The purpose of the Closed-Circuit Television (CCTV) Task and Finish Group (T&FG) is to provide Member inputs to the CCTV review being conducted by Community Services.
2. The CCTV T&FG is authorised by the O&S committee meeting of 18th July 2023, which includes a delegation to Chairman and Vice-Chair to agree ToRs and T&FG membership in consultation with members. The ToR's for the CCTV T&FG are included in Appendix 1.
3. The CCTV T&FG is accountable to O&S Committee for the successful completion of its activities.
4. The T&FG is not a constituted committee of Hart District Council. There is no requirement to meet in public or to make public any notes or minutes.

## RECOMMENDATION

5. Note the report of the CCTV Task & Finish Group.
6. That O&S Committee accepts the following recommendations made by the CCTV Task & Finish Group.
  - That a budget of £70k is allocated to the council's capital programme over a 3-year period commencing in 2024/25 to fund a rolling replacement of the Councils CCTV camera stock (£10K in 2024/25, £30K in 2025/6, £30K in 2026/7).
  - That provision is made for an annual revenue maintenance budget for the routine upkeep of the CCTV cameras in our existing network (estimated at £15K).
  - That an independent evaluation of Hart's CCTV system is undertaken to establish whether the purposes of the system are being complied, the objectives are being achieved, and that the cameras are still positioned in the optimal locations.
  - Evaluate the need for extending our CCTV network by two additional cameras (£25-£30K), determine the priority locations for these assets, and seek potential options for funding.
  - That we allocate £10K to the 2024/25 capital programme to fund three additional deployable (mobile) CCTV cameras.

- Explore the options and potential for direct (connected) access by the Police to our CCTV network.
  - That KPI's (5-9) be included in the quarterly Service Board reviews for Community Services, monitoring the reliability of our CCTV cameras and the level of activity and police requests for footage for each camera.
7. That O&S Committee recommends that these recommendations being included in the CCTV review being conducted by Community Services for consideration by Cabinet.

## **BACKGROUND**

8. The Hart CCTV system has 41 cameras that operate across town centres, parks, and car parks in Hart (Appendix 2)
9. We use our cameras to:
- help reduce crime and promote public safety.
  - help the police and our officers respond to risks and incidents of crime and antisocial behaviour, and, where possible, prevent them from escalating.
  - provide evidence to help prosecute offenders.
  - help protect people and places.
  - provide reassurance to town centre visitors.
  - support local businesses to tackle crime and antisocial behaviour through the Pub Watch scheme.
10. They are operated by a strict CCTV Code of Practice (Appendix 3).
11. Although all our cameras are standard for identification and evidence, we operate a mix of different camera types. Our operators can view and monitor all the cameras directly and the cameras record 24-hours-a-day, seven-days-a-week.
12. All Hart's cameras are pan, tilt, and zoom (PTZ) cameras and are capable of being directly controlled by our operators. PTZ cameras can also be programmed to cover and automatically rotate through a number of pre-set positions. We aim to cover as much area as possible when using pre-set camera positions, but because the cameras move regularly, it is possible for an incident to happen when a camera is pointing elsewhere.
13. In October 2020, Cabinet considered the 'Future Provision of CCTV Service' in Hart (Appendix 4). They agreed:
- (i) the termination of the shared service agreement with Rushmoor Borough council for the monitoring of Harts CCTV cameras.
  - (ii) the establishment of a legal agreement with Runnymede Borough Council for the monitoring of Harts CCTV cameras as outlined in the below report.
  - (iii) the commencement of all necessary technical feasibility and other preliminary works to affect the proposed new service agreement.
  - (iv) that a budget of £104k is allocated in the council's capital programme to fund implementation and decommissioning costs.
  - (v) that a budget of £15k per annum is allocated to the council's capital programme for 3-year period commencing in 2021/22 to fund a rolling replacement of the Councils CCTV camera stock.

At that time, it was also noted that the CCTV Service is currently out of maintenance contract and is on an interim pay as you go maintenance arrangement. Whilst this has not proved expensive so far, maintenance arrangements require appropriate procurement in accordance with contract standing orders. As equipment becomes older, costs and associated equipment failure risks are also likely to increase.

14. During 2021/22 there was a reported increase in the number of hours of CCTV downtime per month. Against a target of 10 hours per month, the Environment and Technical Services Q3 Service Panel (7<sup>th</sup> March 2022) reported 47 hours/month (Q1), 80 hours/month (Q2) and 26 hours/month (Q3).
15. In March 2023, Hart's CCTV service currently supported from Rushmoor transferred to Runnymede Borough Council in Addlestone. The Runnymede control centre operates 24/7 and in addition to managing our CCTV's the control centre provides other areas of out of hours service support for the Council.

## MAIN ISSUES

16. All cameras were reviewed at the very start of conversations of contract switchover to Runnymede, but there was then a significant lapse before the contract was finalised. In the run up to contract switchover, we engaged Runnymede's maintenance provider to rectify any faults identified that did not require full replacement. Replacements have been worked through since the Runnymede contract has been in place and only when it has been ascertained that the problem could not be resolved on the camera, in the software or with parts from other cameras that had been replaced already.

10 cameras needed to be replaced (Appendix 2). Central Security System, who are the maintenance provider on the replaced cameras, confirmed that the camera heads themselves were the parts at fault. Various components inside had failed through general wear and tear.

A replacement order for 5 cameras was made on 21<sup>st</sup> July 2023 (£13,850.60), with a further 5 cameras on 14<sup>th</sup> September 2023 (£13,900.20).

3 x £15K capital spend over three years was agreed by Cabinet in October 2021 to fund the rolling replacement of cameras.

Spend to date

	Actual	Available
2021/22	£0	£15,000
2022/23	£0	£15,000
2023/24	£27,750.80	£15,000
Total	£27,750.80	£45,000.00

This leaves a balance of £17,249.20.

It is important that we make provision for the rolling upgrade or replacement of cameras in the existing CCTV network. It is proposed that we budget to allocate funds to the Council's capital programme to replace or upgrade the remaining cameras over a 3-year period. The total estimated cost to replace the remaining 31 cameras would be £87K.

With the balance of the capital budget, this would require an additional £70K (£10K in 2024/25, £30K in 2025/6, £30K in 2026/7). This would provide funds to replace 10 cameras each year.

### **Recommendation**

**That a budget of £70k is allocated to the council’s capital programme over a 3-year period commencing in 2024/25 to fund a rolling replacement of the Councils CCTV camera stock (£10K in 2024/25, £30K in 2025/26, £30K in 2026/27).**

17. Consideration should also be given to the ongoing maintenance and repair of cameras in the existing network. In addition to funds allocated to the capital programme for the upgrade or replacement of cameras, it is suggested that provision is made for an annual revenue maintenance budget for camera repairs (inclusive of call out charges for repairs). Robust ongoing maintenance should help to maximise the lifetime of the cameras.

Based upon existing maintenance costs, it is estimated that a sensible annual maintenance provision would be £15K.

### **Recommendation**

**That provision is made for an annual revenue maintenance budget for the routine upkeep of the CCTV cameras in our existing network (estimated at £15K).**

18. The activity (number of incidents recorded) for each CCTV camera from April to August 2023 is shown in Appendix 5. While the cameras are also intended to ‘help deter and prevent crime and disorder and reduce the fear of crime,’ the level of activity for each camera provides a useful indication of the relative importance of each camera and whether they are correctly located.

Data is also available on the number of police requests for CCTV footage, as opposed to member of the public requests e.g. Freedom of Information (FOI) or Subject Access Requests (SAR) which must be applied for through the HDC Data Protection Officer (see Appendix 6 for the service area covered by the privacy notice).

This is an example of footage requests from the police for October 2023.

Camera(s)	Footage requests	Date requested	Location	Outcome	Footage provided
Y944	7	05/10/2023	Yateley	Drunk in charge	Y
HW952	6	05/10/2023	Hartley Wintney	Stolen vehicle	Y
H937, H938	5	05/10/2023	Hook	Movements of stolen vehicle and transport vehicle	Y
FL903	4	08/10/2023	Fleet	Assault	Y
Y945	3	19/10/2023	Yateley	Burglary	Y
H935, H937, H938	2	27/10/2023	Hook	Suspect movements	Y
FL903, FL912, FL913	1	29/10/2023	Fleet	Sexual assault	Y

Data of the number of incidents reported for each camera, the number of police requests for footage, and a wider consideration of reported criminal or anti-social behaviour incidents across Hart, will contribute to the required independent evaluation of Hart's CCTV system to establish whether the purposes of the system are being complied with and whether objectives are being achieved. According to the Code of Practice (Appendix 3) this should be undertaken at least annually.

### **Recommendation**

**That an independent evaluation of Hart's CCTV system is undertaken to establish whether the purposes of the system are being complied, the objectives are being achieved, and that the cameras are still positioned in the optimal locations.**

19. A further consideration is whether the existing CCTV network should be extended, with additional cameras in new locations. This would need to satisfy a legitimate need consistent with the purposes and aims of the Code of Practice.

Camera costs are approximately £2.5K with £10-15K estimate for infrastructure, additional cabling, and connectivity. Ongoing monitoring costs, as well as line rental or wireless connectivity would be roughly £2K per asset.

The capital cost of two additional cameras would be approx. £25-£30K.

While we make no specific recommendation for the locations of new cameras, input from Members and a review of 'resident' comment and feedback has provided a list of potential locations that could be considered.

Fleet East – Ancells Farm Park

Fleet West – Elvetham Heath (The Key), Edenbrook (Hitches Lane/Willowbourne)

Hook – London Road/Griffin Way South (Roundabout), Hartletts Park (Skatepark), Griffin Way South/Bartley Way (Roundabout)

A potential source of funding for additional CCTV cameras could be the Hampshire and Isle of Wight Police and Crime Commissioner ASB Fund.

### **Recommendation**

**Evaluate the need for extending our CCTV network by two additional cameras, determine the priority locations for these assets, and seek potential options for funding.**

20. Environmental Health currently have one deployable CCTV unit for fly tipping. An expansion of our Deployable (mobile) CCTV assets could be beneficial, both in preventing/prosecuting fly tipping offences and to assist in the fight against rural crime within Hart.

The cameras themselves can be acquired for £2-4k depending upon specification. They will incur ongoing costs in terms of mobile/wireless

connectivity. They will need 4G/5G connection to transmit images and there are ongoing installation/deinstallation costs (approx. £400 for each move), depending upon where they are needed and how often they are redeployed.

It is proposed that we allocate £10K to the 2024/25 capital programme to fund three additional deployable (mobile) CCTV cameras.

**Recommendation**

**That we allocate £10K to the 2024/25 capital programme to fund three additional deployable (mobile) CCTV cameras.**

- 21. Initial attempts have been made to gather further information on options for direct (connected) access by the Police to our CCTV network. This could be either with a central police control centre or within the local policing district. Further investigation is required to evaluate the possibilities for this option.

**Recommendation**

**Explore the options and potential for direct (connected) access by the Police to our CCTV network.**

- 22. The current reported KPI's (KPI 1-4) provide useful measures on the operation and response of the control room, and our reponse to Information Requests. However, it is felt that data on the 'reliability of operation' of our cameras, the level of activity reported for each of our cameras, and the volume of CCTV footage requests made by the police, would be important in our monitoring of the effectiveness and reliability of our CCTV network.

	<b>Service Description</b>	<b>Service Level</b>	<b>Frequency</b>	<b>Target</b>
KPI 1	Trained on duty staff - Percentage of shifts with appropriately trained security staff on duty to deliver this contract	All staff must be fully trained and all will need to be SIA Public Space licensed	Quarterly	100%
KPI 2	Obtaining Evidence - Evidence copied for law enforcement agencies and other authorised third parties	Evidence to be provided within 48 hours of request unless otherwise agreed	Monthly	100%
KPI 3	Information Requests - Requests by data subjects - All information requests must be considered on receipt. Data is only held for 31 days therefore if a request is received on day 30 back up footage will have to be requested immediately to fulfil the request.	All requests to be considered and acknowledged within 5 days and to be responded to within 10 days maximum	Monthly	100%
KPI 4	Control Room - Operation of Hours - CCTV control room operated as specified in the contract for 24/7, 365 days per annum	Operational hours are compliant as per the contract between Runnymede and Hart, excluding where access to the control room is not possible as per agreement relating to limitations of available Disaster Recovery	Monthly	100%

We therefore propose the following KPI's, and information be included in the quarterly reporting of the service.

	Service Description	Service Level	Frequency	Target
KPI 5	Faults reported for each CCTV camera	Number of faults which leads to downtime or operational failure of a camera (reporting by camera)	Monthly	<5 per month (total across all cameras)
KPI 6	Response time on reported camera faults	Decision on resolution on a fault for hotspot cameras within 24 hours Decision on resolution on a fault for all other cameras within 72 hours	Monthly	98% for decision on resolution on a fault for hotspot cameras within 24 hours 98% for decision on resolution on a fault for all other cameras within 72 hours
KPI 7	Downtime recorded for the CTV network	Days of downtime for each camera	Quarterly	target to be reviewed
KPI 8	Reported incidents (activity) for each camera	Number of specific incidents recorded for each camera	Monthly	Data only
KPI 9	CCTV footage requests from the police	Total number of CCTV footage requests from the police (reported by camera)	Monthly	Data only

### **Recommendation**

**That KPI's (5-9) be included in the quarterly Service Board reviews for Community Services, monitoring the reliability of our CCTV cameras and the level of activity and police requests for footage for each camera.**

### **ACTION**

23. The O&S Committee recommendations will be included in the CCTV review being conducted by Community Services for consideration by Cabinet.

### **APPENDICES**

**Appendix 1 – CCTV Task & Finish Group Terms of Reference**

**Appendix 2 – Location of CCTV cameras**

**Appendix 3 – CCTV Code of Practice**

**Appendix 4 – Future Provision of CCTV Service - October 2020 (Cabinet)**

**Appendix 5 – CCTV Activity Summary April - August 2023**

**Appendix 6 – Service Area Covered by Privacy Notice**

# Hart District Council, Overview and Scrutiny Committee

## CCTV

### Task & Finish Group: Terms of Reference

#### 1 Purpose

The purpose of the Closed Circuit TeleVision (CCTV) Task and Finish Group (T&FG) is to provide Member inputs to the CCTV review being conducted by Community Services.

#### 2 Membership

Membership of the T&FG:

- Up to 4 members of the current Overview and Scrutiny (O&S) Committee drawn: 1 from each of the 3 political groups + independent(s).

Selected:

Cllr	Cllr	Cllr	Cllr
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The T&FG may invite officers to join meetings, including:

- Director of Community Services
- Community Safety Manager

The T&FG will be largely self-contained, but may draw upon modest support from Committee Services to assist with meeting arrangements and finalisation of outputs.

#### 3 Authority

The CCTV T&FG is authorised by the O&S committee meeting of 18<sup>th</sup> July 2023, which includes a delegation to Chairman and Vice-Chair to agree ToRs and T&FG membership in consultation with members.

The CCTV T&FG is accountable to O&S Committee for the successful completion of its activities.

The T&FG is not a constituted committee of Hart District Council. There is no requirement to meet in public or to make public any notes or minutes.

#### 4 Activities

The T&FG shall (method):-

- Gather member views
- Understand existing arrangements (including limitations)
- Research best practice and other council's operational experience
- Consider possible improvements in technology, changes to legislation
- Draft and agree a report summarising the activities undertaken and recommendations for consideration at O&S on 19<sup>th</sup> Sept (hence released by 12<sup>th</sup> Sept)
- Revise and update following the 19<sup>th</sup> Sept meeting
- Publish the report to O&S Members and Director of Community Services.



The T&FG shall consider (scope):-

- Governance and monitoring going forward (so we avoid the past issues)
- Broader set of KPIs
- How Hart measure and ensure value for money
- Strategies and suggestions for improvements to the service
  - Including: expand scope, camera improvements
- Ideas to encourage more police use and support to prosecutions
- Any other issues that become known to the T&FG as they progress with their work

## 5 Decision Making

The T&FG has no formal decision making powers.

The final report should be a broad consensus, suitable for direct submission to the Community Services CCTV review activity. Minority views should be included.

## 6 Meeting Protocol

The T&FG is free to decide its own schedule of meetings, their content, attendees and locations.

Members of the T&FG shall treat information noted as being operationally or commercially sensitive appropriately. Additional constraints or controls may be required to share this with other Cllrs, Committee Services should be consulted to ensure data breaches are avoided.

## 7 Reporting Structure

A brief, verbal update is requested at O&S in August (and monthly thereafter if the end date is moved).

The main output will be a single focussed report (~10 pages) in Hart document style.

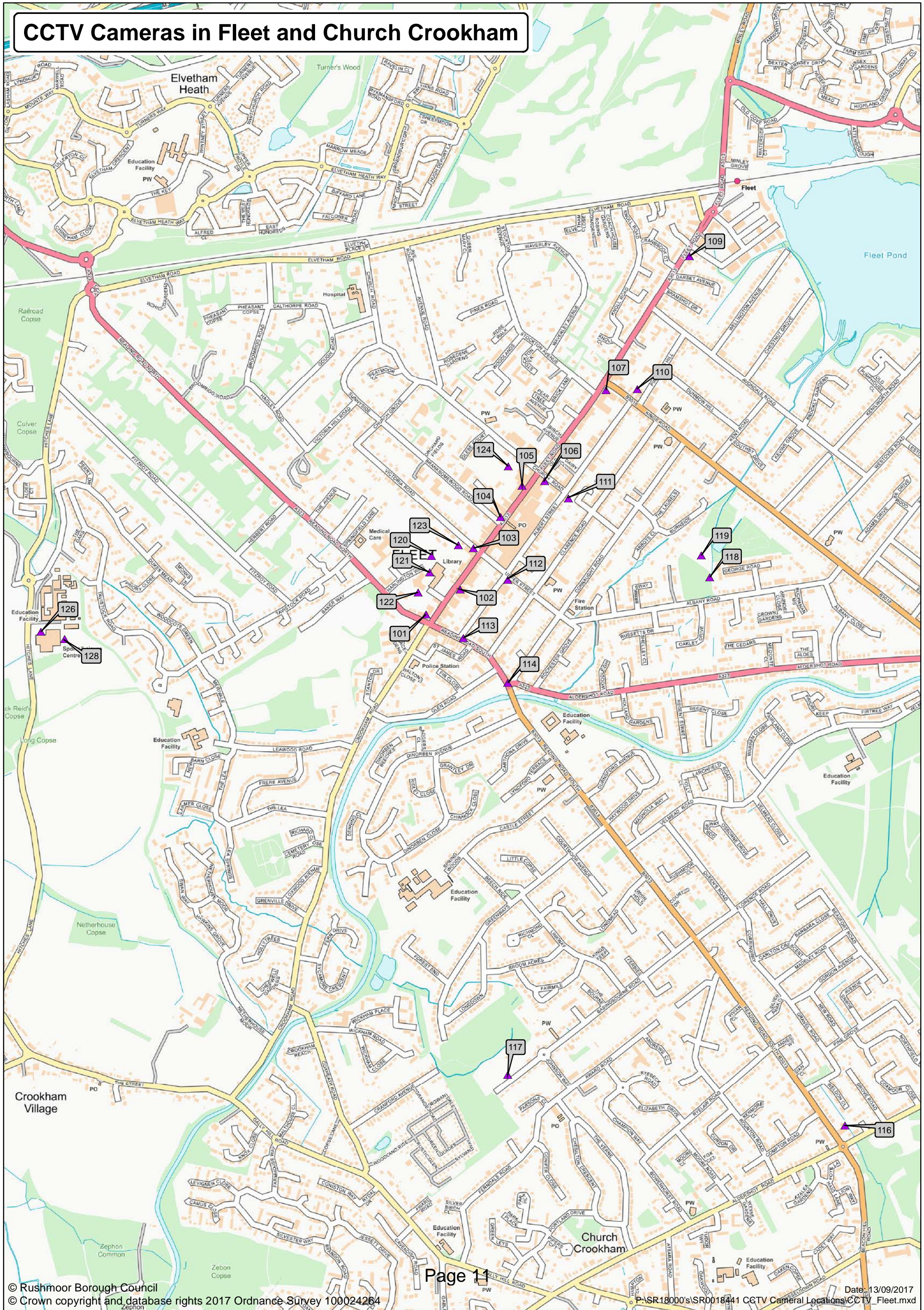
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## Appendix 2

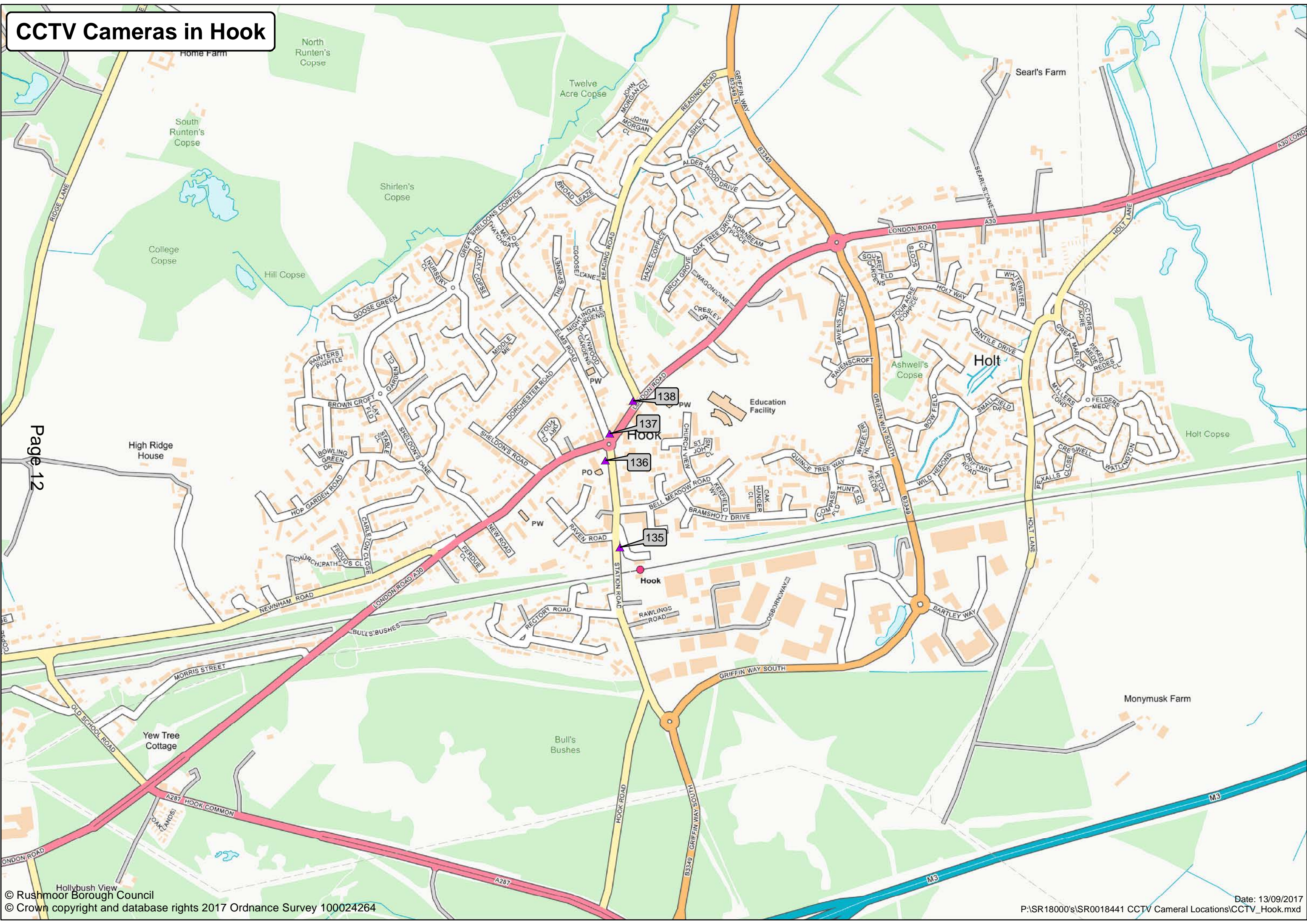
Camera Number	Location	Town	Replacements
101	Oatsheaf Crossroads	Fleet	
102	Fleet Road	Fleet	
103	Fleet Road/Victoria Road	Fleet	
104	Fleet Road/Branksomewood Road	Fleet	replacement ordered 14/09/2023
105	Fleet Road	Fleet	
106	Fleet Road/Church Road	Fleet	
107	Fleet Road/Kings Road	Fleet	
109	Fleet Railway Station	Fleet	replacement ordered 21/07/2023
110	Kings Road/Albert Street	Fleet	replacement ordered 21/07/2023
111	Albert Street/Church Road	Fleet	replacement ordered 21/07/2023
112	Albert Street/Upper Street	Fleet	replacement ordered 21/07/2023
113	Albert Street/Reading Road	Fleet	
114	Reading Road South/Aldershot Rd	Fleet	
116	Crookham Crossroads	Church Crookham	
117	Basingbourne Drive	Church Crookham	
118	Calthorpe Park	Fleet	
119	Oakley Park	Fleet	
120	Harlington Way	Fleet	replacement ordered 14/09/2023
121	Civic Offices Courtyard	Fleet	replacement ordered 14/09/2023
122	Civic Offices CP	Fleet	
123	Victoria Road CP	Fleet	
124	Church Road CP	Fleet	
126	No longer in use	Fleet	
128	No longer in use	Fleet	

Camera Number	Location	Town	Replacements
135	Station Road/Railway Station	Hook	
136	Station Road	Hook	
137	Elms Road	Hook	replacement ordered 21/07/2023
138	A30 Opposite White Hart Hotel	Hook	
140	White Hart Parade	Blackwater	
141	Blackwater Train Station	Blackwater	
142	Rosemary Lane/A30	Blackwater	replacement ordered 14/09/2023
143	Reading Road/Royal Oak	Yateley	
144	Manor Park Drive	Yateley	
145	Plough Lane/Reading Road	Yateley	
146	Reading Road/Dog and Partridge	Yateley	
147	Reading Road/White Lion	Yateley	replacement ordered 14/09/2023
148	FLC Front	Yateley	
149	FLC Rear	Yateley	
150	Darby Green Community Centre	Yateley	
151	A30 Opposite Monachus Lane	Hartley Wintney	
152	A30/Fleet Road	Hartley Wintney	
153	Monachus Lane CP	Hartley Wintney	
154	Monachus Lane CP	Hartley Wintney	

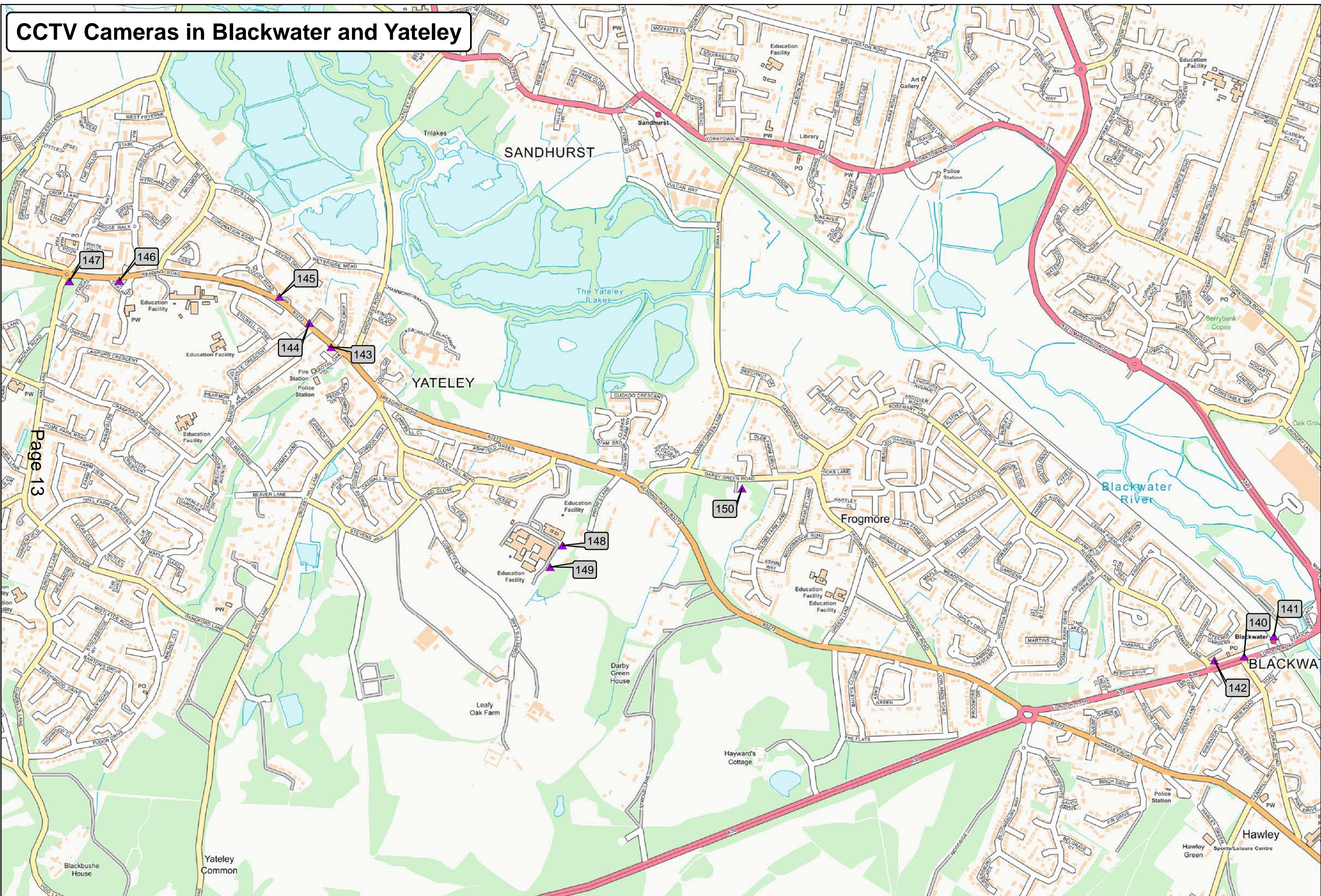
# CCTV Cameras in Fleet and Church Crookham



# CCTV Cameras in Hook



# CCTV Cameras in Blackwater and Yateley

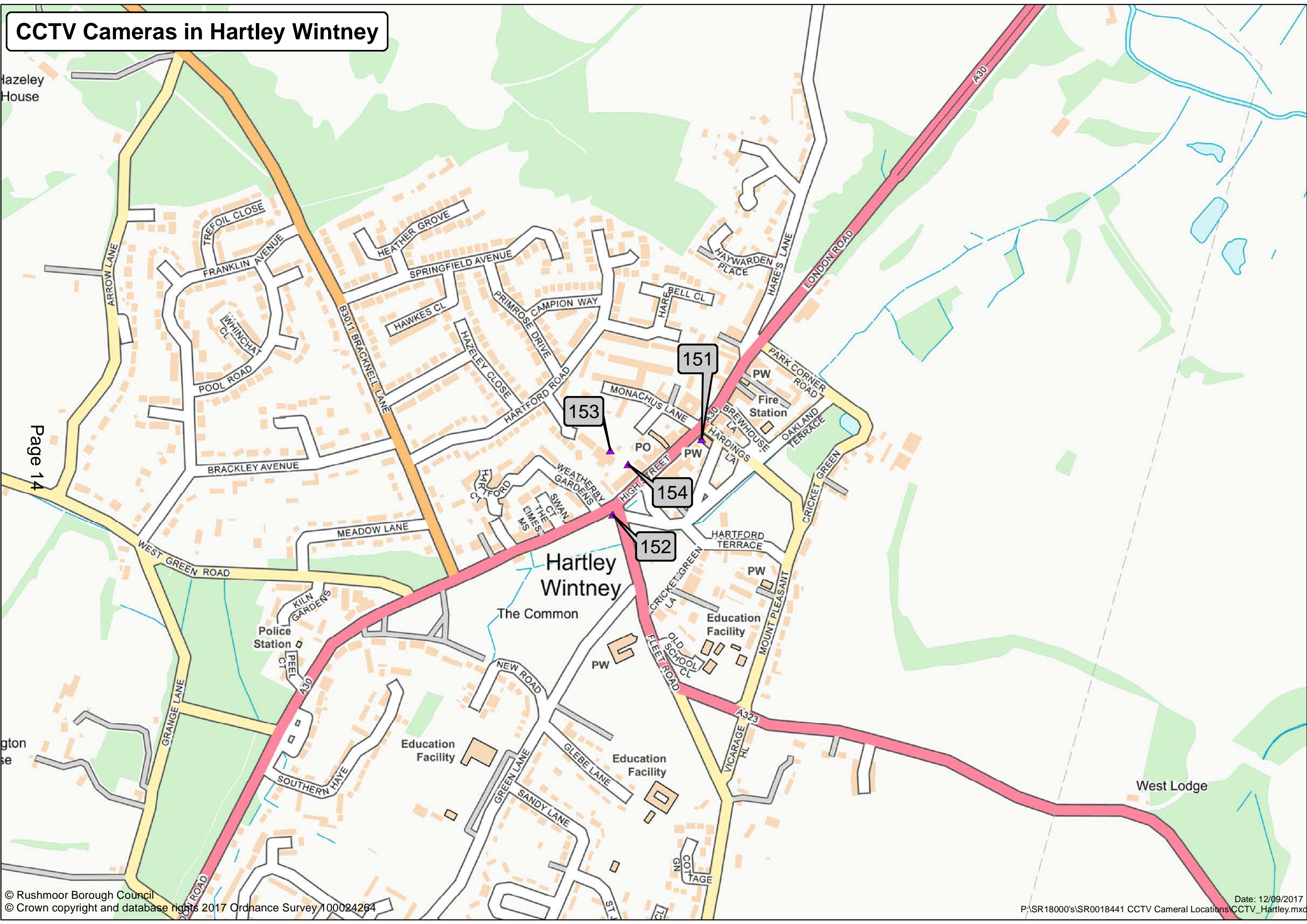


# CCTV Cameras in Hartley Wintney

Hazeley House

Page 14

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West Lodge

# Runnymede Borough Council

in partnership with

Spelthorne Borough Council, Rushmoor Borough Council, Hart District Council, Ashford St Peter's Hospitals NHS Trust, Thorpe Park and Surrey Police.

## Code of Practice June

### 2023

For the operation of Closed-Circuit Television based upon Model Documents (2001)  
Amended to comply with the guidance of The Information Commissioner(ICO - 2008)

## Section 1 Introduction and Objectives

### 1.1 Introduction

A Closed Circuit Television (CCTV) system has been introduced to *Runnymede, Partner Boroughs and other Organisations*. This system, known as the '*Safer Runnymede*' system, comprises a number of cameras installed at strategic locations. Most of the cameras are fully operational with pan, tilt and zoom facilities. Others are fixed cameras, images from which are presented in the same room. Secondary monitoring and control facilities are located at the private premises of *St Peter's Hospital and Thorpe Park* where there is recording equipment for cameras located on the local sites only.

The '*Safer Runnymede*' CCTV System has evolved from the formation of a partnerships between *Runnymede Borough Council, Spelthorne Borough Council, Rushmoor Borough Council, Hart District Council, Ashford St Peter's Hospitals NHS Trust, Thorpe Park and Surrey Police* who have all acknowledged the Safer Runnymede Code of Practice.

**For the purposes of this document, the 'owner' of the system is Runnymede Borough Council** but cameras may belong to partners. **For the purposes of the Data Protection Act the 'data controller' is *Runnymede Borough Council*.**

The 'system manager' is Runnymede Borough Council.

The CCTV system has been notified to the Information Commissioner.

Details of key personnel, their responsibilities and contact points are shown at Appendix 'A' to this Code.

*Note 1. The **data controller** is the person who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal data are to be processed. It must be a legal entity, e.g. person, organisation or corporate body and in the case of partnerships all partners may be considered to bear the responsibility.*

## **1.2 Partnership Statement in respect of The Data Protection Act 2018**

1.2.1 The Partnership recognises that public authorities and those organisations carrying of the functions of a public service nature are required to observe the obligations imposed by the Data Protection Act 2018 and consider that the use of CCTV in Runnymede and in partners organisations is a necessary, proportionate and suitable tool to help reduce crime, reduce the fear of crime and improve public safety.

## **1.3 Partnership Statement in respect of The Human Rights Act 2003**

1.3.1 The Partnership recognises that public authorities and those organisations carrying of the functions of a public service nature are required to observe the obligations imposed by the Human Rights Act 2003 and consider that the use of CCTV in Runnymede and in partners organisations is a necessary, proportionate and suitable tool to help reduce crime, reduce the fear of crime and improve public safety.

1.3.2 This assessment is evidenced by an agreed 'operational requirement' document and public survey. Section 163 of the Criminal Justice and Public Order Act 1994 creates the power for local authorities to provide closed circuit television coverage of any land within their area for the purposes of crime prevention or victim welfare and it is also considered a necessary initiative by Runnymede Borough Council, Spelthorne Borough Council, Rushmoor Borough Council, Hart District Council Ashford St Peter's Hospitals NHS Trust, Thorpe Park and Surrey Police towards their duty under the Crime and Disorder Act 2003.

1.3.3 It is recognised that operation of the CCTV System may be considered to infringe on the privacy of individuals. The Partnership recognises that it is their responsibility to ensure that the scheme should always comply with all relevant legislation, to ensure its legality and legitimacy. The scheme will only be used as a proportional response to identify problems and be used only insofar as it is necessary in a democratic society, in the interests of national security, public safety, the economic wellbeing of the area, for the prevention and detection of crime or disorder, for the protection of health and morals, or for the protection of the rights and freedoms of others.

1.3.4 The Codes of Practice and observance of the Operational Procedures contained in the manual shall ensure that evidence is secured, retained, and made available as required to ensure there is absolute respect for everyone's right to a free trial.

1.3.5 The CCTV System shall be operated with respect for all individuals, recognising the right to be free from inhuman or degrading treatment and avoiding discrimination on any ground



such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

## 1.4 Objectives of the System

1.4.1 The objectives of the CCTV System as determined by the Partnership which form the lawful basis for the processing of data are:-

- *To help reduce the fear of crime*
- *To help deter crime*
- *To help detect crime and disorder and provide evidential material for court proceedings*
- *To assist in aspects of town centre and traffic management*
- *To improve the safety and security of residents, visitors and the business community who use the facilities in the areas covered*
- *To assist the Local Authority in its enforcement and regulatory functions*
- *To assist the partners in monitoring and managing their assets*
- *To assist in supporting civil proceedings which will help detect crime*
- *To improve public protection*
- *To enhance generally the environment and thereby improve the facilities for those who use them*

## 1.5 Procedural Manual

This Code of Practice (hereafter referred to as 'the Code') is supplemented by a separate 'Procedural Manual' which offers instructions on all aspects of the day-to-day operation of the system. To ensure the purpose and principles (see Section 2) of the CCTV system are realised, the Procedural Manual is based and expands upon the contents of this Code of Practice. It is not a public document.

## **Section 2 Statement of Purpose and Principles**

### **2.1 Purpose**

- 2.1.1 The purpose of this document is to state the intention of the owners and the managers, on behalf of the Partnership as a whole and as far as is reasonably practicable, to support the objectives of *the CCTV System* (hereafter referred to as 'the System') and to outline how it is intended to do so.
- 2.1.2 The 'Purpose' of the System, and the process adopted in determining the 'Reasons' for implementing 'the System' are as previously defined in order to achieve the objectives detailed within Section 1.

### **2.2 General Principles of Operation**

- 2.2.1 The System will be operated in accordance with all the requirements and the principles of the Human Rights Act 2003.
- 2.2.2 The operation of the System will also recognise the need for formal authorisation of any covert 'Directed' surveillance or crime trend ('hotspot') surveillance as required by the Regulation of Investigatory Powers Act 2000 and the Police Force Policy.
- 2.2.3 The System will be operated in accordance with the Data Protection Act 2018 at all times.
- 2.2.4 The System will be operated fairly, within the law, and only for the purposes for which it was established and are identified within this Code, or which are subsequently agreed in accordance with this Code of Practice.
- 2.2.5 The System 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.
- 2.2.6 The public interest in the operation of the System will be recognised by ensuring the security and integrity of operational procedures.
- 2.2.7 Throughout this Code of Practice it is intended, as far as reasonably possible, to balance the objectives of the CCTV System with the need to safeguard the individual's rights. Every effort has been made throughout the Code to indicate that a formal structure has been put in place, including a complaints procedure, by which it can be identified that the System is not only accountable, but is seen to be accountable.
- 2.2.8 Participation in the System by any 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.

### **2.3 Copyright**

- 2.3.1 Copyright and ownership of all material recorded by virtue of the System will remain with the data controller.

## 2.4 Cameras and Area Coverage

- 2.4.1 The areas covered by CCTV to which this Code of Practice refers are the public areas within the responsibility of the operating partners and cover Addlestone, Chertsey, Egham, Englefield Green, Virginia Water, New Haw, Pooley Green, Ottershaw, Staines, Ashford, Stanwell, Sunbury, Shepperton, St Peter's Hospital, Ashford Hospital, Thorpe Park, Farnborough, Aldershot, Fleet, Hartley Wintney, Yateley, Hook and Blackwater
- 2.4.2 From time to time transportable or mobile cameras may be temporarily sited within the area. The use of such cameras, and the data produced by virtue of their use, will always accord with the objectives of the CCTV System and be governed by these Codes and Procedures.
- 2.4.3 The majority of the cameras offer full colour, pan tilt and zoom (PTZ) capability, some of which may automatically switch to monochrome in low light conditions.
- 2.4.4 None of the cameras forming part of the System will be installed in a covert manner. Some cameras may be enclosed within 'All weather domes' for aesthetic or operational reasons but the presence of all cameras will be identified by appropriate signs.
- 2.4.5 A map showing the number and location of all fixed cameras in Runnymede is available on the Runnymede Borough Council web site at [www.runnymede.gov.uk](http://www.runnymede.gov.uk).

## 2.5 Monitoring and Recording Facilities

- 2.5.1 A staffed monitoring room is located at the Civic Centre, Station Road, Addlestone. The CCTV equipment has the capability of recording all cameras simultaneously throughout every 24-hour period.
- 2.5.2 No equipment, other than that housed within the Safer Runnymede CCTV Control Room shall be capable of recording images from any of the cameras except St. Peter's Hospital cameras which may be recorded within St. Peter's Hospital and Thorpe Park cameras, which are also recorded at Thorpe Park. St. Peter's Hospital and Thorpe Park monitor their own systems, following their own code of practice, to contractual standards.
- 2.5.3 CCTV Operators are able to record images from selected cameras in real-time, produce hard copies of recorded images, replay or copy any pre-recorded data at their discretion and in accordance with the Code of Practice. All viewing and recording equipment shall only be operated by trained and authorised users.

## 2.6 Human Resources

- 2.6.1 Unauthorised persons will not have access without an authorised member of staff being present.
- 2.6.2 Specially selected and trained Operators in accordance with the strategy contained within the Procedural Manual shall staff the monitoring room.

2.6.3 All Operators shall receive training relevant to their role in the requirements of the Human Rights Act 2003, Data Protection Act 2018, Regulation of Investigatory Powers Act 2000 and the Codes of Practice and Procedures. They will be licensed by The Security Industry Authority. Further training will be provided as necessary.

## **2.7 Processing and Handling of Recorded Material**

2.7.1 All recorded material, whether recorded digitally or as a hard copy video print, will be processed and handled strictly in accordance with this Code of Practice and the Procedural Manual.

## **2.8 Operators Instructions**

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

## **2.9 Changes to the Code or the Procedural Manual**

2.9.1 Any major changes to either the Code of Practice or the Procedural Manual, (i.e. such as will have a significant impact upon the Code of Practice or upon the operation of the system) will take place only after consultation with, and upon the agreement of all organisations with a participatory role in the operation of the system.

2.9.2 A minor change (i.e. such as may be required for clarification and will not have such a significant impact) may be agreed between the manager and the owners of the System.

## Section 3 Privacy and Data Protection

### 3.1 Public Concern

3.1.1 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.

**Note:** '**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:

- i) organisation, adaptation or alteration of the information or data;
- ii) retrieval, consultation or use of the information or data;
- iii) disclosure of the information or data by transmission, dissemination or otherwise making available; or
- iv) alignment, combination, blocking, erasure or destruction of the information or data.

All personal data obtained by virtue of the 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.

3.1.2 The storage and security of the data will be strictly in accordance with the requirements of the Data Protection Act 2018 and additional locally agreed procedures.

### 3.2 Data Protection Legislation

3.2.1 The operation of the System has been notified to the Office of the Information Commissioner in accordance with current Data Protection legislation.

3.2.2 The 'data controller/processor' for the 'System' is Runnymede Borough Council and day-to-day responsibility for the data will be devolved to the Safer Runnymede Manager. The data retained at St Peter's Hospital will be the responsibility of Ashford and St Peter's Hospital Trust. The data retained at Thorpe Park will be the responsibility of Thorpe Park.

3.2.3 All data will be processed in accordance with the principles of the Data Protection Act 2018, which in summarised form, includes, but is not limited to:

- i) All personal data will be obtained and processed fairly and lawfully.
- ii) Personal data will be held only for the purposes specified.
- iii) Personal data will be used only for the purposes, and disclosed only to the people, shown within these codes of practice.
- iv) Only personal data will be held which are adequate, relevant and not excessive in relation to the purpose for which the data are held.
- v) Steps will be taken to ensure that personal data are accurate and where necessary, kept up-to-date.
- vi) Personal data will be held for no longer than is necessary.

- vii) Individuals will be allowed access to information held about them and, where appropriate, permitted to correct or erase it.
- viii) Procedures will be implemented to put in place security measures to prevent unauthorised or accidental access to, alteration, disclosure, or loss and destruction of, information.

### 3.3 Request for Information (Subject Access)

- 3.3.1 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 in the first instance to the System Manager or Data Controller or, in respect of St Peter's Hospital, the Hospital Security Manager, in respect of Thorpe Park, the Thorpe Park Operations Manager.
- 3.3.2 The principles of Chapter 3 of the Data Protection Act 2018 (Rights of Data Subject) shall be followed in respect of every request; guidance notes are reproduced as Appendix 'B' to these Codes.
- 3.3.3 If the request cannot be complied with without identifying another individual, permission from all parties must be considered (in the context of the degree of privacy they could reasonably anticipate from being in that location at that time) in accordance with the requirements of the legislation.
- 3.3.4 Any person making a request must be able to satisfactorily prove their identity and provide sufficient information to enable the data to be located. The appropriate 'Subject Access' request form is included in Appendix 'F'.

### 3.4 Exemptions to the Provision of Information

- 3.4.1 In considering a request made under the provisions of Section 7 of the Data Protection Act 2018, reference may also be made to Section 29 of the Act which includes, but is not limited to, the following statement:
- 3.4.2 Personal data processed for any of the following purposes:-
  - i) the prevention or detection of crime
  - ii) the apprehension or prosecution of offenders are exempt from the subject access provisions in any case 'to the extent to which the application of those provisions to the data would be likely to prejudice any of the matters mentioned in this subsection'.

**Note Each and every application will be assessed on its own merits and general 'blanket exemptions' will not be applied.**

### 3.5 Criminal Procedures and Investigations Act, 1996

- 3.5.1 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). An 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).

### 3.6 Patient Confidentiality

3.6.1 The cameras at St Peter's Hospital require special consideration to ensure patient confidentiality is maintained. To achieve this all cameras on this site have been designated by the Security Manager at St Peter's Hospital as being in one of four categories with detailed procedures in the Procedural Manual. The categories are as follows:

- i) Sensitive – Recorded but not monitored and not viewed without express permission of the Chief Executive or an Executive Director of the Trust. The Chief Executive or Executive Director will also liaise with the Trust's Caldicott Guardian in respect of patient confidentiality issues.
- ii) Confidential – Only monitored and recorded at St Peter's Hospital.
- iii) Restricted – Monitored in both Control Rooms but not relayed to Police Monitoring Centre without just cause.
- iv) Public – Monitored and relayed as areas completely open to unrestricted public access.

## Section 4 Accountability and Public Information

### 4.1 The Public

- 4.1.1 For reasons of security and confidentiality, access to the CCTV Monitoring Room and the Control Rooms at both St Peter's Hospital and Thorpe Park is restricted in accordance with this Code of Practice. However, in the interest of openness and accountability, anyone wishing to visit the rooms may be permitted to do so, subject to the approval of, and after making prior arrangements with, the Manager of the System.
- 4.1.2 Cameras will not be used to look into private residential property and the Operators will be specifically trained in privacy issues.
- 4.1.3 A member of the public wishing to register a complaint with regard to any aspect of the System may do so by contacting the System Manager's office. All complaints shall be dealt with in accordance with the Partners' Complaint Procedures, a copy of which may be obtained from their offices. Any performance issues identified will be considered under the organisation's disciplinary procedures to which all members of Runnymede Borough Council including CCTV personnel are subject.
- 4.1.4 All CCTV staff are contractually subject to Regulations governing confidentiality and discipline. An individual who suffers damage or distress by reason of any contravention of this Code of Practice may be entitled to compensation.

### 4.2 System Owner

- 4.2.1 The position of the Manager of the System (not the Monitoring Room Supervisor), named at Appendix 'A', being the nominated representative of the System owners, will have unrestricted personal access to the CCTV Monitoring Room.
- 4.2.2 Runnymede Borough Council will nominate a Committee with a specific responsibility for receiving and considering those reports.
- 4.2.3 Formal consultation will take place between the owners and the managers of the system with regard to all aspects, including this Code of Practice and the Procedural Manual.

### 4.3 System Manager

- 4.3.1 The nominated Manager named at Appendix 'A' will have day-to-day responsibility for the System as a whole with the Security Manager at St Peter's Hospital responsible for activity on that site and the Security Manager at Thorpe Park responsible for activity on that site.
- 4.3.2 The System will be subject to audit by *Runnymede Borough Council Chief Internal Auditor*, (or nominated deputy).
- 4.3.3 The System Manager and the Security Manager as appropriate will ensure that every complaint is acknowledged in writing within five working days which will include advice to the complainant of the enquiry procedure to be undertaken. A formal report will be



forwarded to the nominee of the system owner named at Appendix 'A', giving details of all complaints and the outcome of relevant enquiries.

4.3.4 Statistical and other relevant information, including any complaints made, will be included in the Annual Reports which will be made publicly available.

#### **4.4 Public Information**

##### **4.4.1 Code of Practice**

A copy of this Code of Practice shall be published on the Runnymede Borough Council web site, and a copy will be made available to anyone on request. Additional copies will be lodged at Public Libraries, Police Stations and Partners' Reception Offices.

##### **4.4.2 Annual Report**

The Annual Report and that for subsequent years shall be published by the end of June in the year following the reporting year. A copy of the Annual Report will also be made available to anyone requesting it. Additional copies will be lodged at Public Libraries, Local Police Stations and offices of the Partners.

##### **4.4.3 Signs**

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

- i) the presence of CCTV monitoring;
- ii) the 'ownership' of the system;
- iii) contact telephone number of the 'data controller' of the system.

## Section 5 Assessment of the System and Code of Practice

### 5.1 Evaluation

5.1.1 The System will periodically be independently evaluated to establish whether the purposes of the system are being complied with and whether objectives are being achieved. The format of the evaluation shall comply with that laid down by the Home Office Statistics and Research Directorate in the Home Office Bidding Guidelines and be based on assessment of The Inputs, The Outputs, The Process and the Impact of the scheme.

- i) *An assessment of the impact upon crime: This assessment shall include not only the immediate area covered by the cameras but the wider town area, the Police Divisional and regional areas and national trends.*
- ii) *An assessment of the incidents monitored by the System.*
- iii) *An assessment of the impact on town centre business.*
- iv) *An assessment of neighbouring areas without CCTV.*
- v) *The views and opinions of the public.*
- vi) *The operation of the Code of Practice.*
- vii) *Whether the purposes for which the system was established are still relevant.*
- viii) *Cost effectiveness.*

5.1.2 The results of the evaluation will be published and will be used to review and develop any alterations to the specified purpose and objectives of the scheme as well as the functioning, management and operation of the system.

5.1.3 It is intended that evaluations should take place at least annually.

### 5.2 Monitoring

5.2.1 The System Manager and Security Manager at St Peter's Hospital/Thorpe Park will accept day-to-day responsibility for the monitoring, operation and evaluation of the System and the implementation of this Code of Practice.

5.2.2 The System Manager and Security Manager at St Peter's Hospital/Thorpe Park shall also be responsible for maintaining full management information as to the incidents dealt with by the monitoring room, for use in the management of the System and in future evaluations

### 5.3 Audit

5.3.1 The Chief Internal Auditor, or his/her nominated deputy, who is not the System Manager, will be responsible for regularly auditing the operation of the System 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, videotape histories and the content of recorded material.

### 5.4 Incident Reports

5.4.1 All Operators will make records and complete electronic incident logs in respect of all incidents as detailed in the Procedural Manual.

## Section 6 Human Resources

### 6.1 Staffing of the Monitoring Room and those responsible for the operation of the System

- 6.1.1 The CCTV Monitoring Room will be staffed in accordance with the Procedural Manual. Equipment associated with the System will only be operated by authorised personnel who will have been properly trained in its use and all monitoring room procedures. All Operators must hold a valid Public Space Surveillance (CCTV) Licence issued by The Security Industry Authority.
- 6.1.2 Every person involved in the management and operation of the system will be personally issued with a copy of both the Code of Practice and the Procedural Manual, will be required to sign a confirmation that they fully understand the obligations adherence to these documents places upon them and that any breach will be considered as a disciplinary offence. 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.
- 6.1.3 Arrangement may be made for a Police Liaison Officer to be present in the monitoring room at certain times, or indeed at all times, subject to locally agreed protocols. Any such person must also be conversant with this Code of Practice and associated Procedural Manual.
- 6.1.4 All personnel involved with the System shall receive training from time to time in respect of all legislation appropriate to their role.

### 6.2 Discipline

- 6.2.1 Every individual with any responsibility under the terms of this Code of Practice and who has any involvement with the System to which they refer, will be subject to the discipline code of their employer. Any breach of this Code of Practice or of any aspect of confidentiality will be dealt with in accordance with those discipline rules.
- 6.2.2 The System Manager will accept primary responsibility for ensuring there is no breach of security and that the Code of Practice is complied with. He/she has day-to-day responsibility for the management of the room and for enforcing the discipline rules. Noncompliance with this Code of Practice by any person will be considered a severe breach of discipline and dealt with accordingly including, if appropriate, the instigation of criminal proceedings.
- 6.2.3 Declaration of Confidentiality

Every individual with any responsibility under the terms of this Code of Practice and who has any involvement with The System to which they refer, will be required to sign a declaration of confidentiality. (See example at Appendix 'E', see also Section 8 concerning access to the monitoring room by others).

## **Section 7 Control and Operation of Cameras**

### **7.1 Guiding Principles**

- 7.1.1 Any person operating the cameras will act with utmost probity at all times.
- 7.1.2 The cameras, control equipment, recording and reviewing equipment shall at all times only be operated by persons who have been trained in their use and the legislative implications of their use.
- 7.1.3 Every use of the cameras will accord with the purposes and key objectives of the System and shall be in compliance with this Code of Practice.
- 7.1.4 The system purpose is not to capture images from within private dwellings. Cameras will not be used to look into private residential property.
- 7.1.5 Residents are consulted prior to any new installation at which point any privacy concerns can be discussed.
- 7.1.6 'Privacy zones' can be programmed into the System (whenever practically possible) in order to ensure that the interior of any private residential property within range of the system is not surveyed by the cameras.
- 7.1.7 Camera operators will be mindful of exercising prejudices, which may lead to complaints of the System 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 System or by the System Manager.

### **7.2 Primary Control**

- 7.2.1 Only those trained and authorised members of staff with responsibility for using the CCTV equipment will have access to the operating controls at the Safer Runnymede Centre.
- 7.2.2 At both St Peter's Hospital Control Room and Thorpe Park Control Room, local site operators have primacy of control at all times.

### **7.3 Secondary Control**

- 7.3.1 Secondary monitoring only facilities are provided at Surrey Police Force Incident Handling Centre, Staines-upon-Thames Police Station and at Addlestone Police Station, Runnymede Borough Neighbourhood Office.
- 7.3.2 The use of monitoring facilities will be administered and recorded in full accordance with this Code of Practice and the Procedural Manual and does not diminish in any way the obligations imposed on any of the persons involved to comply with all current legislative requirements.

## **7.4 Operation of 'The System' by The Police**

- 7.4.1 Under rare and extreme operational circumstances the Police may make a request to command the use of the System to which this Code of Practice applies. These circumstances may be a major incident or event that has a significant impact on the prevention and detection of crime or public safety. Such use will provide the Police with a broad overview of events in order to command the incident.
- 7.4.2 Such requests will be viewed separately to the use of the System's cameras with regard to the requirement for an authority for specific types of surveillance under the Regulation of Investigatory Powers Act 2000. See Appendix H.
- 7.4.3 Applications made as at 7.4.1 above will be considered on the written request of a police officer not below the rank of Superintendent. Any such request will only be accommodated upon the personal written permission of the most senior representative of the System owners, or designated deputy of equal standing. In the event of an urgent need, a verbal request of the Senior Officer in charge, and in any case an officer not below the rank of Inspector, will be necessary. This should be followed as soon as practicable within 72 hours by a Superintendent's written request.
- 7.4.4 In the event of such a request being permitted, the Monitoring Room will continue to be staffed, and equipment operated by, only those personnel who are specifically trained to do so, and who fall within the terms of Sections 6 and 7 of this Code. They will then operate under the command of the Police Officer designated in the verbal/written request, taking into account their responsibilities under this Code.
- 7.4.5 In very extreme circumstances a request may be made for the Police to take total control of the System in its entirety, including the staffing of the monitoring room and personal control of all associated equipment, to the exclusion of all representatives of the System owners. Any such request should be made to the System Manager in the first instance, who will consult personally with the most Senior Officer of the System owners (or designated deputy of equal standing). A request for total exclusive control must be made in writing by a Police Officer not below the rank of Assistant Chief Constable or person of equal standing.

## **7.5 Maintenance of the system**

- 7.5.1 To ensure compliance with the Information Commissioners Code of Practice and that images recorded continue to be of appropriate evidential quality the System shall be maintained in accordance with the requirements of the Procedural Manual under a Maintenance Agreement.
- 7.5.2 The Maintenance Agreement will make provision for regular/periodic service checks on the equipment which will include cleaning of any all-weather domes or housings, checks on the functioning of the equipment, and any minor adjustments that need to be made to the equipment settings to maintain picture quality.
- 7.5.3 The maintenance will also include regular periodic overhaul of all the equipment and replacement of equipment which is reaching the end of its serviceable life.

- 7.5.4 The Maintenance Agreement will also provide for 'emergency' attendance by a specialist CCTV Engineer on site to rectify any loss or severe degradation of image or camera control.
- 7.5.5 The Maintenance Agreement will define the maximum periods of time permitted for attendance by the Engineer and for rectification of the problem depending upon the severity of the event and the operational requirements of that element of the system.
- 7.5.6 It is the responsibility of the relevant Runnymede Borough Council Manager and the Security Managers at St Peter's Hospital and Thorpe Park as appointed to ensure appropriate records are maintained in respect of the functioning of the cameras and the response of the maintenance organisation.

## **Section 8 Access to and Security of, Monitoring Room and Associated Equipment**

### **8.1 Authorised Access**

8.1.1 Only trained and authorised personnel will operate any of the equipment located within the CCTV Monitoring Rooms, (or equipment associated with the CCTV System).

### **8.2 Public access**

8.2.1 Public access to the monitoring and recording facility will be prohibited except for lawful, proper and sufficient reasons and only then with the personal authority of the System Manager. Any such visits will be conducted and recorded in accordance with the Procedural Manual.

### **8.3 Declaration of Confidentiality**

8.3.1 Regardless of their status, all visitors to the CCTV Monitoring Rooms, including inspectors and auditors, will be required to sign the visitor's book and a declaration of confidentiality.

### **8.4 Security**

8.4.1 Authorised personnel will normally be present at all times when the equipment is in use. If the monitoring facility is to be left unattended for any reason it will be secured. In the event of the monitoring room having to be evacuated for safety or security reasons, the provisions of the Procedural Manual will be complied with.

8.4.2 The secure area containing the monitoring room will at all times be secured by 'Magnetic-Locks' operated by the CCTV Operator.

## **Section 9 Management of Recorded Material**

### **9.1 Guiding Principles**

9.1.1 For the purposes of this Code 'recorded material' means any material recorded by, or as the result of, technical equipment which forms part of the System, but specifically includes images recorded digitally onto DVD's and including prints.

9.1.2 Every digital recording obtained by using the System has the potential of containing material that has to be admitted in evidence at some point during its life span.

9.1.3 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.

9.1.4 It is therefore of the utmost importance that irrespective of the means or format (e.g. paper copy, DVD, digital hard drive, CD, or any form of electronic processing and storage) of the images obtained from the System, they are treated strictly in accordance with this Code of Practice and the Procedural Manual from the moment they are received

by the monitoring room until final destruction. Every movement and usage will be meticulously recorded.

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

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

## **9.2 National Standard for the release of Data to a Third Party**

9.2.1 Every request for the release of personal data generated by this CCTV System will be channelled through the System Manager or Security Manager at St Peter's Hospital or Thorpe Park as appropriate. The System Manager will ensure the principles contained within Appendix 'C' to this Code of Practice are followed at all times.

9.2.2 In complying with the national standard for the release of data to third parties, it is intended, as far as reasonably practicable, to safeguard the individual's rights to privacy and to give effect to the following principles:

- recorded material shall be processed lawfully and fairly, and used only for the purposes defined in this Code of Practice;
- access to recorded material will only take place in accordance with the standards outlined in Appendix 'C' and this Code of Practice;
- the release or disclosure of data for commercial or entertainment purposes is specifically prohibited.

9.2.3 Members of the Police Service or other agency having a statutory authority to investigate and/or prosecute offences may, subject to compliance with Appendix 'C', release details of recorded information to the media only in an effort to identify alleged offenders or potential witnesses. Under such circumstances, full details will be recorded in accordance with the Procedural Manual.

**Note:** *Release to the media of recorded information, in whatever format, which may be part of a current investigation would be covered by the Police and Criminal Evidence Act, 1984. Any such disclosure should only be made after due consideration of the likely impact on a criminal trial. Full details of any media coverage must be recorded and brought to the attention of both the prosecutor and the defence.*

9.2.4 If material is to be shown to witnesses, including Police Officers, for the purpose of obtaining identification evidence, it must be shown in accordance with Appendix 'C' and the Procedural Manual.

9.2.5 It may be beneficial to make use of 'real' video footage for the training and education of those involved in the operation and management of CCTV systems, and for those involved in the investigation, prevention and detection of crime. Any material recorded by virtue of this CCTV System will only be used for such bona fide training and education purposes. Recorded material will not be released for commercial or entertainment purposes.



### **9.3 Video Discs - Provision & Quality**

9.3.1 To ensure the quality of the discs, and that recorded information will meet the criteria outlined by current Home Office guidelines, the only video discs to be used with the system are those which have been specifically provided in accordance with the Procedural Manual.

### **9.4 Recordings – Retention**

9.4.1 Recordings will be retained for a period of 31 days within the arrays of digital hard drives provided. After that time, they will be overwritten by new recordings.

9.4.2 If a recording is believed to include evidence to be used in accordance with the authorised purposes of the System the recording will be archived on a separate hard drive to be available for investigation. The recordings will be retained and stored in accordance with the Procedural Manual. At the conclusion of their life within the CCTV System they will be deleted or overwritten.

### **9.5 Retained Recorded CCTV Footage (Police – NICE investigates portal)**

9.5.1 Each time a request is made to retain a CCTV recording, a URN is supplied along with the request. Evidential video data is uploaded via secure portal for Police Use.

9.5.2 At the point of upload, the data becomes the responsibility of the requesting constabulary and all required data governance is performed by that agency.

9.5.3 The NICE portal is wholly managed by Police.

### **9.6 Recording Policy**

9.6.1 Subject to the equipment functioning correctly, images from every camera within the System will be recorded throughout every 24-hour period at a rate equivalent to at least 25 frames per second. Any images viewed on the Operators' console monitors shall be additionally recorded in real time.

### **9.7 Evidential Discs**

9.7.1 Where provided and in the event of a recording being required for evidential purposes the procedures outlined in the Procedural Manual will be strictly complied with. A sealed master copy disc and a working copy disc will be prepared. After those discs have been handed to the Investigating Officer against signature no duplicate recordings will be retained.

## Section 10 Video Prints

### 10.1 Guiding Principles

- 10.1.1 A video print is a copy of an image or images, which already exist within a digital recording. Such prints are equally within the definitions of 'data' and recorded material.
- 10.1.2 Video prints will not be taken as a matter of routine. Each time a print is made it must be capable of justification by the originator who will be responsible for recording the full circumstances under which the print is taken in accordance with the Procedural Manual.
- 10.1.3 Video prints contain data and will therefore only be released under the terms of Appendix 'C' to this Code of Practice, 'Release of data to third parties'. If prints are released to the media (in compliance with Appendix 'C'), in an effort to identify alleged offenders or potential witnesses, full details will be recorded in accordance with the Procedural Manual.
- 10.1.4 A record will be maintained of all video print productions in accordance with the Procedural Manual. The recorded details will include: a sequential number, the date, time and location of the incident, date and time of the production of the print and the identity of the person requesting the print, (if relevant) and the purpose for which the print was taken.
- 10.1.5 The records of the video prints taken will be subject to audit in common with all other records in the system.
- 10.1.6 Where a video still image is requested by Police, said image will be uploaded to the NICE portal with a URN.
- 10.1.7 At the point of upload, the data becomes the responsibility of the requesting constabulary and all required data governance is performed by that agency.

## Appendix 'A' Key Personnel and Responsibilities

### 1. System Owners – Safer Runnymede:

#### Chief Executive

**Tel: 01932 838383**

Runnymede Borough Council

Civic Centre, Station Road, Addlestone, Surrey, KT15 2AH

#### Responsibilities:

Runnymede Borough Council is the 'owner' of the system. **The Safer Runnymede Manager** will be the single point of reference on behalf of the owners. His role will include a responsibility to:

- i) Ensure the provision and maintenance of all equipment forming part of the Runnymede Borough Council System in accordance with contractual arrangements, which the owners may from time to time, enter into.
- ii) Maintain close liaison with the Control Room Senior Operators.
- iii) Ensure the interests of the joint owners and other organisations are upheld in accordance with the terms of this Code of Practice.
- iv) Agree to any proposed alterations and additions to the system, this Code of Practice and/or the Procedural Manual.

### 2. System Management

#### Safer Runnymede Manager

**Tel. 01932 838383**

Civic Centre, Station Road,

Addlestone, Surrey, KT15 2AH

#### Responsibilities:

The Safer Runnymede Manager is the 'manager' of the Safer Runnymede System. He has delegated authority for data control on behalf of the 'data controller'. His role includes responsibility to:

- i) maintain day-to-day management of the system and staff;
- ii) accept overall responsibility for the system and for ensuring that this Code of Practice is complied with;
- iii) maintain direct liaison with the owners of the system.
- iv) maintain direct liaison with operating partners.

### 3. System Owners – Borough of Spelthorne:

#### Community Safety Officer

**Tel: 01784 444226**

Council Offices, Knowle Green,

Staines, Middlesex, TW18 1XB

**Responsibilities:**

The Borough of Spelthorne has responsibility for all the CCTV equipment within the Borough of Spelthorne. His role will include a responsibility to ensure that this Code of Practice and associated Procedural Document is complied with at all times particular in respect of the use of the mobile camera system.

**4. System Owners – St Peter’s Hospital:****Director of Clinical & Non-clinical Support Services and Ashford Hospital Director Tel: 01784 884488**

Ashford Hospital, London Road,  
Ashford, Middlesex, TW15 3AA

**Responsibilities:**

Ashford and St Peter’s Hospitals Trust has responsibility for all the CCTV equipment on the St Peter’s Hospital site. His role will include a responsibility to ensure that this Code of Practice and associated Procedural Document is complied with at all times.

**5. System Management - St Peter’s Hospital:****The Security Manager****Tel: 01932 872000**

St Peter’s Hospital  
Guildford Road, Chertsey, Surrey KT16 0PX

**Responsibilities:**

He has delegated authority for data control on behalf of the ‘data controller’.

His role includes responsibility to:

- i) Maintain day-to-day management of the system and staff;
- ii) Accept overall responsibility for the system and for ensuring that this Code of Practice is complied with;
- iii) Maintain direct liaison with the owners of the system.

**6. System Owners – Thorpe Park****Tel: 01932 577147****The Operations Director**

Thorpe Park  
Staines Lane,  
Chertsey,  
Surrey KT16 8PN

**Responsibilities:**

Thorpe Park has responsibility for all the CCTV equipment on the Thorpe Park site. His role will include a responsibility to ensure that this code of practice and associated procedural document is complied with at all times.

## 7. System Management – Thorpe Park

### The Security Manager

Thorpe Park  
Staines Lane,  
Chertsey,  
Surrey KT16 8PN

#### Responsibilities:

He has delegated authority for data control on behalf of the 'data controller'.

His role includes responsibility to:

- i) Maintain day-to-day management of the system and staff;
- ii) Accept overall responsibility for the system and for ensuring that this Code of Practice is complied with; iii) Maintain direct liaison with the owners of the system.

## 8. System Owners – Borough of Rushmoor:

### Community Safety Manager

**Tel: 01252 398399**

Council Offices  
Farnborough Road,  
Farnborough  
GU14 7JU ·

#### Responsibilities:

The Borough of Rushmoor has responsibility for all the public space CCTV equipment within the Borough of Rushmoor.

Their role includes a responsibility to ensure that this Code of Practice and associated Procedural Document is complied with at all times.

## 9. System Owners – District of Hart:

### **Safer Communities Manager**

**Tel: 01252 622122**

Council Offices  
Harlington Way,  
Fleet  
GU51 4AE

### **Responsibilities:**

The District of Hart has responsibility for all the public space CCTV equipment within the Hart District.

Their role includes a responsibility to ensure that this Code of Practice and associated Procedural Document is complied with at all times.

## Appendix B Extract from Data Protection Act 2018

### Chapter 3 - section 45

#### Right of access by the data subject

- (1) A data subject is entitled to obtain from the controller—
  - (a) confirmation as to whether or not personal data concerning him or her is being processed, and
  - (b) where that is the case, access to the personal data and the information set out in subsection (2).
- (2) That information is—
  - (a) the purposes of and legal basis for the processing;
  - (b) the categories of personal data concerned;
  - (c) the recipients or categories of recipients to whom the personal data has been disclosed (including recipients or categories of recipients in third countries or international organisations);
  - (d) the period for which it is envisaged that the personal data will be stored or, where that is not possible, the criteria used to determine that period;
  - (e) the existence of the data subject's rights to request from the controller—
    - (i) rectification of personal data (see section 46), and
    - (ii) erasure of personal data or the restriction of its processing (see section 47);
  - (f) the existence of the data subject's right to lodge a complaint with the Commissioner and the contact details of the Commissioner;
  - (g) communication of the personal data undergoing processing and of any available information as to its origin.
- (3) Where a data subject makes a request under subsection (1), the information to which the data subject is entitled must be provided in writing —
  - (a) without undue delay, and
  - (b) in any event, before the end of the applicable time period (as to which see section 54).
- (4) The controller may restrict, wholly or partly, the rights conferred by subsection (1) to the extent that and for so long as the restriction is, having regard to the fundamental rights and legitimate interests of the data subject, a necessary and proportionate measure to—

- (a) avoid obstructing an official or legal inquiry, investigation or procedure;
  - (b) avoid prejudicing the prevention, detection, investigation or prosecution of criminal offences or the execution of criminal penalties;
  - (c) protect public security;
  - (d) protect national security;
  - (e) protect the rights and freedoms of others.
- (5) Where the rights of a data subject under subsection (1) are restricted, wholly or partly, the controller must inform the data subject in writing without undue delay—
- (a) that the rights of the data subject have been restricted,
  - (b) of the reasons for the restriction,
  - (c) of the data subject's right to make a request to the Commissioner under section 51,
  - (d) of the data subject's right to lodge a complaint with the Commissioner, and (e) of the data subject's right to apply to a court under section 167.
- (6) Subsection (5)(a) and (b) do not apply to the extent that the provision of the information would undermine the purpose of the restriction.
- (7) The controller must—
- (a) record the reasons for a decision to restrict (whether wholly or partly) the rights of a data subject under subsection (1), and
  - (b) if requested to do so by the Commissioner, make the record available to the Commissioner.

### **Right to rectification**

- (1) The controller must, if so requested by a data subject, rectify without undue delay inaccurate personal data relating to the data subject.
- (2) Where personal data is inaccurate because it is incomplete, the controller must, if so requested by a data subject, complete it.
- (3) The duty under subsection (2) may, in appropriate cases, be fulfilled by the provision of a supplementary statement.
- (4) Where the controller would be required to rectify personal data under this section but the personal data must be maintained for the purposes of evidence, the controller must (instead of rectifying the personal data) restrict its processing.

### **Exemptions** (including but not limited to)

The listed provisions do not apply to personal data where disclosure of the data—



- (a) is necessary for the purpose of, or in connection with, legal proceedings (including prospective legal proceedings),
- (b) is necessary for the purpose of obtaining legal advice, or
- (c) is otherwise necessary for the purposes of establishing, exercising or defending legal rights, to the extent that the application of those provisions would prevent the controller from making the disclosure.

# Appendix 'C' National Standard for the release of data to third parties

## 1. Introduction

Arguably CCTV is one of the most powerful tools to be developed during recent years to assist with efforts to combat crime and disorder whilst enhancing community safety. Equally, it may be regarded by some as the most potent infringement of people's liberty. If users, owners and managers of such systems are to command the respect and support of the general public, the systems must not only be used with the utmost probity at all times, but they must also be used in a manner which stands up to scrutiny and is accountable to the very people they are aiming to protect.

All the partners are committed to the belief that everyone has the right to respect for his or her private and family life and their home. Although the use of CCTV cameras has become widely accepted in the UK as an effective security tool, those people who do express concern tend to do so over the handling of the information (data) which the System gathers.

After considerable research and consultation, the nationally recommended standard of The CCTV User Group has been adopted by the System owners.

## 2. General Policy

All requests for the release of data shall be processed in accordance with the Procedure Manual. All such requests shall be channelled through the data controller.

## 3. Primary Request To View Data

- a) Primary requests to view data generated by a CCTV System are likely to be made by third parties for any one or more of the following purposes:
  - i) providing evidence in criminal proceedings (e.g. Police and Criminal Evidence Act 1984, Criminal Procedures & Investigations Act 1996, etc.);
  - ii) providing evidence in civil proceedings or tribunals;
  - iii) the prevention of crime;
  - iv) the investigation and detection of crime
  - v) identification of witnesses.
  
- b) Third parties, which are required to show adequate grounds for disclosure of data within the above criteria, may include, but are not limited to:
  - i) Police <sup>(1)</sup>
  - ii) Statutory Authorities with powers to prosecute, (e.g. Customs and Excise; Trading Standards, etc.)
  - iii) Solicitors <sup>(2)</sup>
  - iv) Plaintiffs in civil proceedings <sup>(3)</sup>
  - v) Accused persons or defendants in criminal proceedings <sup>(3)</sup>
  - vi) Other agencies, (which should be specified in the Code of Practice) according to purpose and legal status <sup>(4)</sup>

- c) Upon receipt from a third party of a bona fide request for the release of data, the data controller shall:
- i) Not unduly obstruct a third-party investigation to verify the existence of relevant data. ii) Ensure the retention of data which may be relevant to a request, but which may be pending application for, or the issue of, a Court Order or Subpoena. A time limit shall be imposed on such retention, which will be notified at the time of the request.
- Note:** A time limit could apply providing reasonable notice was issued to the agent, prior to the destruction of the held data (e.g. a time limit was about to expire).
- d) In circumstances outlined at note (3) below, (requests by plaintiffs, accused persons or defendants) the data controller, or nominated representative, shall:
- i) Be satisfied that there is no connection with any existing data held by the police in connection with the same investigation.
  - ii) Treat all such enquiries with strict confidentiality.

### Notes

- (1) The release of data to the Police is not be restricted to the Civil Police but could include, (for example) British Transport Police, Ministry of Defence Police, Military Police, etc. (It may be appropriate to put in place special arrangements in response to local requirements.)
- (2) Aside from criminal investigations, data may be of evidential value in respect of civil proceedings or tribunals. In such cases a solicitor, or authorised representative of the Tribunal, is required to give relevant information in writing prior to a search being granted. In the event of a search resulting in a requirement being made for the release of data, such release will only be facilitated on the instructions of a court order or subpoena. A charge may be made for this service to cover costs incurred. In all circumstances data will only be released for lawful and proper purposes.
- (3) There may be occasions when an enquiry by a plaintiff, an accused person, a defendant or a defence solicitor falls outside the terms of disclosure or subject access legislation. An example could be the investigation of an alibi. Such an enquiry may not form part of a prosecution investigation. Defence enquiries could also arise in a case where there appeared to be no recorded evidence in a prosecution investigation.
- (4) The data controller shall decide which (if any) 'other agencies' might be permitted access to data. Having identified those 'other agencies', such access to data will only be permitted in compliance with this Standard.
- (5) The data controller can refuse an individual request to view if insufficient or inaccurate information is provided. A search request should specify reasonable accuracy (could be specified to the nearest ½ hour)

## Secondary Request To View Data

- a) A 'secondary' request for access to data may be defined as any request being made which does not fall into the category of a primary request. Before complying with a secondary request, the data controller shall ensure that:
- i) the request does not contravene, and that compliance with the request would not breach, current relevant legislation, (e.g. Data Protection Act 2018, Human Rights Act 2003, section 163 Criminal Justice and Public Order Act 1994, etc.);
  - ii) any legislative requirements have been complied with (eg: the requirements of the Data Protection Act 2018)
  - iii) due regard has been taken of any known case law (current or past) which may be relevant, (e.g. R v Brentwood BC ex p. Peck); and iv) the request would pass a test of 'disclosure in the public interest'<sup>(1)</sup>.
- b) If, in compliance with a secondary request to view data, a decision is taken to release material to a third party, the following safeguards shall be put in place before surrendering the material:
- i) In respect of material to be released under the auspices of 'crime prevention', written agreement to the release of the material should be obtained from a Police Officer, not below the rank of Inspector. The Officer should have personal knowledge of the circumstances of the crime/s to be prevented and an understanding of the CCTV System Code of Practice<sup>(2)</sup>.
  - ii) If the material is to be released under the auspices of 'public well being, health or safety', written agreement to the release of material should be obtained from a Senior Officer within the Local Authority. The Officer should have personal knowledge of the potential benefit to be derived from releasing the material and an understanding of the CCTV System Code of Practice.
- c) Recorded material may be used for bona fide training purposes such as police or staff training. Under no circumstances will recorded material be released for commercial sale of material for training or entertainment purposes.

### Note:

- (1) 'Disclosure in the public interest' could include the disclosure of personal data that:
- provides specific information which would be of value or of interest to the public well being
  - ii) identifies a public health or safety issue
  - iii) leads to the prevention of crime
- (2) The disclosure of personal data which is the subject of a 'live' criminal investigation would always come under the terms of a primary request, (see iii above).

## 4. Individual Subject Access under Data Protection legislation

- 1) Under the terms of Data Protection legislation, individual access to personal data, of which that individual is the data subject, must be permitted providing:

- i) the request is made in writing;
  - ii) a specified fee is paid for each individual search;
  - iii) the data controller is supplied with sufficient information to satisfy him or her self as to the identity of the person making the request;
  - iv) the person making the request provides sufficient and accurate information about the time, date and place to enable the data controller to locate the information which that person seeks (it is recognised that a person making a request is unlikely to know the precise time. Under those circumstances it is suggested that within one hour of accuracy would be a reasonable requirement);
  - v) the person making the request is only shown information relevant to that particular search and which contains personal data of herself or himself only, unless all other individuals who may be identified from the same information have consented to the disclosure.
- b) In the event of the data controller complying with a request to supply a copy of the data to the subject, only data pertaining to the individual should be copied (all other personal data which may facilitate the identification of any other person should be concealed or erased). Under these circumstances an additional fee may be payable.
- c) The data controller is entitled to refuse an individual request to view data under these provisions if insufficient or inaccurate information is provided, however every effort should be made to comply with subject access procedures and each request should be treated on its own merit.
- d) In addition to the principles contained within the Data Protection legislation, the data controller should be satisfied that the data is:
- i) not currently and, as far as can be reasonably ascertained, not likely to become, part of a 'live' criminal investigation;
  - ii) not currently and, as far as can be reasonably ascertained, not likely to become, relevant to civil proceedings;
  - iii) not the subject of a complaint or dispute which has not been actioned;
  - iv) the original data and that the audit trail has been maintained;
  - v) not removed or copied without proper authority;
  - vi) for individual disclosure only (i.e. to be disclosed to a named subject)

## 6. Process of Disclosure:

- a) Verify the accuracy of the request.
- b) Replay the data to the requester only (or responsible person acting on behalf of the person making the request).
- c) The viewing should take place in a separate room and not in the control or monitoring area. Only data, which is specific to the search request, shall be shown.
- d) It must not be possible to identify any other individual from the information being shown (any such information will be blanked-out, either by means of electronic screening or manual editing on the monitor screen).

- e) If a copy of the material is requested and there is no on-site means of editing out other personal data, then the material shall be sent to an editing house for processing prior to being sent to the requester.

**Note:** The Information Commissioners Code of Practice for CCTV makes specific requirements for the precautions to be taken when images are sent to an editing house for processing.

## 7. Media disclosure

Set procedures for release of data to a third party should be followed, if the means of editing out other personal data does not exist on-site, measures should include:

- a) In the event of a request from the media for access to recorded material, the procedures outlined under 'secondary request to view data' shall be followed. If material is to be released the following procedures shall be adopted:
- i) The release of the material must be accompanied by a signed release document that clearly states what the data will be used for and sets out the limits on its use.
  - ii) The release form shall state that the receiver must process the data in a manner prescribed by the data controller, e.g. specific identities/data that must not be revealed.
  - iii) It shall require that proof of any editing must be passed back to the data controller, either for approval or final consent, prior to its intended use by the media (protecting the position of the data controller who would be responsible for any infringement of Data Protection legislation and the System's Code of Practice).
  - iv) The release form shall be considered a contract and signed by both parties.

**Notes** *In the well publicised case of R v Brentwood Borough Council, ex parte Geoffrey Dennis Peck, (QBD November 1997), the judge concluded that by releasing the video footage, the Council had not acted unlawfully. A verbal assurance that the broadcasters would mask the identity of the individual had been obtained. Despite further attempts by the Council to ensure the identity would not be revealed, the television company did in fact broadcast footage during which the identity of Peck was not concealed. The Judge concluded that tighter guidelines should be considered to avoid future accidental broadcasts.*

*Attention is drawn the requirements of the Information Commissioners in this respect detailed in her Code of Practice summarised above.*

## 8. Principles

In adopting this national standard for the release of data to third parties, it is intended, as far as reasonably practicable, to safeguard the individual's rights to privacy and to give effect to the following principles:

- a) recorded material shall be processed lawfully and fairly and used only for the purposes defined in the Code of Practice for the CCTV scheme;
- b) access to recorded material shall only take place in accordance with this Standard and the Code of Practice;
- c) the release or disclosure of data for commercial or entertainment purposes is specifically prohibited.

## Appendix

### 'D' Restricted Access Notice

# WARNING

# RESTRICTED ACCESS AREA

**Everyone, regardless of status, entering this area is required to complete an entry in the Visitors book.**

**Visitors are advised to note the following confidentiality clause and entry is conditional on acceptance of that clause:**

### **Confidentiality Clause:**

**'In being permitted entry to this area you acknowledge that the precise location of the CCTV monitoring room is, and should remain, confidential. You agree not to divulge any information obtained, overheard or overseen during your visit. An entry accompanied by your signature in the Visitors book is your acceptance of these terms'.**

### **'E' Declaration of Confidentiality**

#### **The Safer Runnymede\*\* CCTV System**

I, ....., am retained by *Runnymede Borough Council\*\** to perform the duty of CCTV Control Room Operator/Senior Operator/Supervisor/Manager\*. I have received a copy of the Code of Practice in respect of the operation and management of that CCTV System.

I hereby declare that:



# Appendix

I am fully conversant with the content of that Code of Practice and understand that all duties which I undertake in connection with the *Safer Runnymede\*\* CCTV System* 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 CCTV 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 CCTV 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 further acknowledge that I have been informed and clearly understand that the communication, either verbally or in writing, to any unauthorised person(s) of any information acquired as a result of my employment with *Runnymede Borough Council* may be an offence against the Official Secrets Act of 1911, Section 2, as amended by the Official Secrets Act of 1989.

Signed: ..... Print Name: .....

Witness: ..... Position: .....

Dated this.....day of ..... (month) 20.....

\* *Delete as appropriate.*

\*\**Substitute St Peter's Hospital if appropriate*

## F Subject Access Request Form \*\*

'SAFER RUNNYMEDE' CCTV SYSTEM - Data Protection Act, 2018

### Apply For Access To Information Held On the CCTV System

These notes explain how you can find out what information, if any, is held about you on the CCTV System.

#### Your Rights

Subject to certain exemptions, you have a right to be told whether any personal data is held about you. You also have a right to a copy of that information in a permanent form except where the supply of such

## Appendix

a copy is not possible or would involve disproportionate effort, or if you agree otherwise. Runnymede Borough Council will only give that information if it is satisfied as to your identity. If release of the information will disclose information relating to another individual(s), who can be identified from that information, the Council is not obliged to comply with an access request unless –

- The other individual has consented to the disclosure of information, or
- It is reasonable in all the circumstances to comply with the request without the consent of the other individual(s)

### **Runnymede Borough Council Rights**

Runnymede Borough Council may deny access to information where the Act allows. The main exemptions in relation to information held on the CCTV System are where the information may be held for: Prevention and detection of crime

Apprehension and prosecution of offenders And giving you the information may be likely to prejudice any of these purposes. **Fee**

A fee of £10 is payable for each access request, which must be in pounds sterling. Cheques, Postal Orders, etc. should be made payable to ‘**Runnymede Borough Council**’.

**THE APPLICATION : ALL sections of the form must be completed. Failure to do so may delay your application.)**

**Section 1** Asks you to give information about yourself that will help the Council to confirm your identity. The Runnymede Borough Council has a duty to ensure that information it holds is secure and it must be satisfied that you are who you say you are.

**Section 2** Asks you to provide evidence of your identity by producing TWO official documents (which between them clearly show your name, date of birth and current address) together with a recent full face photograph of you.

**Section 3** Asks you to confirm whether you will accept just viewing the information, or if you want a copy of the information.

#### **Section 4 You must sign the declaration**

When you have completed and checked this form, take or send it together with the required TWO identification documents, photograph and fee to:

THE CCTV OPERATIONS MANAGER, Runnymede Borough Council,  
Civic Offices, Station Road, Addlestone, Surrey, KT15 2AH (Receptionist  
– please complete ‘Official Use’ Section on page 5.

**If you have any queries regarding this form, or your application, please ring the CCTV Manager on Telephone No. 01932 838383**

**SAFER RUNNYMEDE CCTV SYSTEM (Data Protection Act 2018)****SECTION 1 About Yourself**

The information requested below is to help the Council (a) satisfy itself as to your identity and (b) find any data held about you.

PLEASE USE BLOCK LETTERS

<b>Title</b> (tick box as appropriate)	<i>Mr</i>		<i>Mrs</i>		<i>Miss</i>		<i>Ms</i>		
<b>Other title</b> (e.g. Dr., Rev., etc.)									
<b>Surname/family name</b>									
<b>First names</b>									
<b>Maiden name/former names</b>									
<b>Sex</b> (tick box)	<i>Male</i>			<i>Female</i>					
<b>Height</b>									
<b>Date of Birth</b>									
<b>Place of Birth</b>	<i>Town</i>								
	<i>County</i>								

<b>Your Current Home Address</b> (to which we will reply)								
	<i>PostCode</i>							
<i>A telephone number will be helpful in case you need to be contacted.</i>	<i>Tel. No.</i>							

If you have lived at the above address for less than 10 years, please give your previous addresses for the period:

<b>Previous address(es)</b>								
<b>Dates of occupancy</b>	<i>From:</i>				<i>To:</i>			
<b>Dates of occupancy</b>	<i>From:</i>				<i>To:</i>			

**SAFER RUNNYMEDE CCTV SURVEILLANCE SYSTEM Data  
Protection Act, 2018**

**SECTION 2 Proof of Identity**

To help establish your identity your application must be accompanied by **TWO** official documents that between them clearly show your name, date of birth and current address.

For example: a birth/adoption certificate, driving licence, medical card, passport or other official document that shows your name and address.

Also a recent, full face photograph of yourself.

**Failure to provide this proof of identity may delay your application.**

**SECTION 3 Supply of Information**

You have a right, subject to certain exceptions, to receive a copy of the information in a permanent form. Do you wish to:

- |   |  |
|---|--|
| (a) View the information and receive a permanent copy | <input type="checkbox"/> YES / <input type="checkbox"/> NO |
| (b) Only view the information                         | <input type="checkbox"/> YES / <input type="checkbox"/> NO |

**SECTION 4 Declaration**

**DECLARATION** (to be signed by the applicant)

The information that I have supplied in this application is correct and I am the person to whom it relates.

Signed by

Date

**Warning – a person who impersonates or attempts to impersonate another may be guilty of an offence.**

**NOW – please complete Section 4 and then check the ‘CHECK’ box (on page 5) before returning the form.**

**SAFER RUNNYMEDE CCTV SURVEILLANCE SYSTEM Data  
Protection Act, 2018**

**SECTION 5 To Help us Find the Information**

*If the information you have requested refers to a specific offence or incident, please complete this Section. Please complete a separate box in respect of different categories/incidents/involvement. Continue on a separate sheet, in the same way, if necessary.*

*If the information you require relates to a vehicle, property, or other type of information, please complete the relevant section overleaf.*

Were you: (tick box below)

<i>A person reporting an offence or incident</i>	<input type="checkbox"/>
<i>A witness to an offence or incident</i>	<input type="checkbox"/>
<i>A victim of an offence</i>	<input type="checkbox"/>
<i>A person accused or convicted of an offence</i>	<input type="checkbox"/>
<i>Other – please explain</i>	<input type="text"/>
<input type="text"/>	
<input type="text"/>	
<input type="text"/>	

<i>Date(s) and time(s) of incident</i>	<input type="text"/>
<i>Place incident happened</i>	<input type="text"/>
<i>Brief details of incident</i>	<input type="text"/>
<input type="text"/>	
<input type="text"/>	

**SAFER RUNNYMEDE CCTV SYSTEM - Data Protection Act, 2018****Before returning this form**

- Have you completed ALL Sections in this form?

**Please check:**

- Have you enclosed TWO identification documents?
- Have you signed and dated the form?
- Have you enclosed the £10.00 (ten pound) fee?

**Further Information:**

These notes are only a guide. The law is set out in the Data Protection Act, 2018, obtainable from The Stationery Office. Further information and advice may be obtained from:

**The Information Commissioner,  
Wycliffe House,  
Water Lane, Wilmslow,  
Cheshire, SK9 5AF.  
Tel. (01625) 545745**

Please note that this application for access to information must be made direct to **Runnymede Borough Council** (address on Page 1) and **NOT** to the Data Protection Commissioner.

**OFFICIAL USE ONLY**

Please complete ALL of this Section (refer to 'CHECK' box above).

Application checked and legible?	<input type="checkbox"/>	Date Application Received	<input type="text"/>
Identification documents checked?	<input type="checkbox"/>	Fee Paid	<input type="text"/>
Details of 2 Documents (see page 3)		Method of Payment	<input type="text"/>
<input type="text"/>		Receipt No.	<input type="text"/>
		Documents Returned?	<input type="text"/>

**Member of Staff completing this Section:**

Name	<input type="text"/>	Location	<input type="text"/>
Signature	<input type="text"/>	Date	<input type="text"/>

**\*\* A similar form exists in respect of data held at St Peter's hospital**

## Appendix G Use of Mobile CCTV System

### Introduction

Mobile Closed Circuit Television (CCTV) Systems may be operated within Runnymede and Partner Boroughs.

Any system that has the capability of linking in to the existing fixed CCTV system will come under the direct control of the Safer Runnymede Control Room.

This code of practice will then apply.

Other systems can operate independently and where installed, they will fall under the governance of the installing authority.

For example, in Spelthorne the mobile system has evolved from the formation of a Partnership between Spelthorne Borough Council, Spelthorne Police, and Spelthorne Housing Association. For the purposes of the Codes of Practice, the 'owner' of the system is Spelthorne borough Council and the key personnel and responsibilities will be as set out in Appendix A of the Code.

### Objectives of the system

The partners in Spelthorne have agreed the objectives of the Mobile CCTV System as being a rapid deployment system:

- To enable the partners to respond to the growing public demand for CCTV in areas outside Staines Town Centre and assist in the evaluation of need for permanent systems and/or other preventive measures for use in specific initiatives.
- To assist the police at crime 'hot-spots' particularly auto-crime and crime/disorder in residential housing areas.
- To evaluate and prosecute with individual incidents of crime including racial/homophobic crime.
- To deal with suspected anti-social behaviour.
- To deter crime.
- To assist in the detection of crime.
- To help reduce the fear of crime.

The system will also be available for use by all Council Departments and authorised external agencies, operating under this code.

### Privacy and Data Protection

All personal data obtained by virtue of a Mobile CCTV 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 there home. All data will be processed in accordance with the principals of the Data Protection Acts and is summarised in Appendix B of this Code.

### Key Operational Requirements

Before the system can be deployed the purpose of observing each area/target must be defined by the Partner requiring deployment, and this will be documented. Where an area is to be observed for more than one purpose this will also be documented.

Potential conflicts of use will be resolved and principles agreed based on the Crime and Disorder Reduction Strategy, local planning needs, and factors such as threat and risk assessments. A structured analysis of the problem and how the Mobile CCTV System can help in the solution is the key operational requirement.



# Appendix H Regulation of Investigatory Powers Act

## Guiding Principles

### Introduction

The Regulation of Investigatory Powers Act 2000 (hereafter referred to as 'the Act') came into force on 2<sup>nd</sup> October 2000. It places a requirement on public authorities listed in Schedule 1; Part 1 of the act to authorise certain types of covert surveillance during planned investigations.

The guidance contained in this Code of Practice serves to explain and highlight the legislation to be considered. A more detailed section will be included in the Model Procedural Manual to assist users in the application of the requirements

### Background

General observation forms part of the duties of many law enforcement officers and other public bodies. Police officers will be on patrol at football grounds and other venues monitoring the crowd to maintain public safety and prevent disorder. Officers may also target a crime "hot spot" in order to identify and arrest offenders committing crime at that location. Trading standards or HM Customs & Excise officers might covertly observe and then visit a shop as part of their enforcement function to verify the supply or level of supply of goods or services that may be liable to a restriction or tax. Such observation may involve the use of equipment to merely reinforce normal sensory perception, such as binoculars, or the use of cameras, where this does not involve **systematic surveillance of an individual**. It forms a part of the everyday functions of law enforcement or other public bodies. This low-level activity will not usually be regulated under the provisions of the 2000 Act.

Neither do the provisions of the Act cover the normal, everyday use of **overt** CCTV surveillance systems. Members of the public are aware that such systems are in use, for their own protection, and to prevent crime. *However*, it had not been envisaged how much the Act would impact on specific, targeted use of public/private CCTV systems by 'relevant Public Authorities' covered in Schedule 1: Part1 of the Act, when used during their planned investigations.

The consequences of not obtaining an authorisation under this Part may be, where there is an interference by a public authority with Article 8 rights (invasion of privacy), and there is no other source of authority, that the action is unlawful by virtue of section 6 of the Human Rights Act 2003 (Right to fair trial) and the evidence obtained could be excluded in court under Section 78 Police & Criminal Evidence Act 1978

The Act is divided into five parts. Part II is the relevant part of the act for CCTV. It creates a system of authorisations for various types of covert surveillance. The types of activity covered are "intrusive surveillance" and "directed surveillance".

### “Covert surveillance” defined

Observations which are carried out by, or with, the use of a surveillance device. Surveillance will be covert where it is carried out in a manner calculated to ensure that the person or persons subject to the surveillance are **unaware that it is, or may be**, taking place.

## Part II - Surveillance types

We should clearly differentiate in this guidance between “Intrusive” surveillance which will be a great rarity for CCTV operations and “Directed” surveillance which will be the more likely.

### “Intrusive” surveillance

This is a highly invasive type of covert surveillance, the like of which CCTV equipment and their images alone would not be able to engage in except on the most rare occasion. The Act says:

*"Intrusive surveillance" is defined as covert surveillance carried out in relation to anything taking place on residential premises or in any private vehicle.*

*This kind of surveillance may take place by means either of a person or device located **inside** residential **premises or a private vehicle** of the person who is subject to the surveillance, or by means of a device placed outside which **consistently provides a product of equivalent quality and detail as a product which would be obtained from a device located inside.***

Therefore it is **not intrusive** *unless* the camera capabilities are such that it consistently provides information of the same quality and detail as might be expected to be obtained from a device actually present on the premises or in the vehicle.

Our CCTV cameras are deemed incapable of providing this level of detail so as to be considered “intrusive” for the purposes of the act. Current interpretations re sustained gathering of images of persons in a car in a car park dealing in drugs; being able to see clearly inside the car, would not be considered “intrusive” under the act.

In particular, the following extract from Section 4 of this code prevents us from carrying out intrusion of premises with cameras. This section puts us in a strong position to resist the use of public cameras in this way by investigators.

*Cameras will not be used to look into private residential property. Where the equipment permits it 'Privacy zones' will 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. If such 'zones' cannot be programmed the operators will be specifically trained in privacy issues.*

### “Directed” surveillance

This level of covert surveillance is likely to be engaged more by public/private CCTV users when they are requested by “authorised bodies” (see later) to operate their cameras in a specific way; for a planned purpose or operation; where ‘private information’ is to be gained.

The Act says:

"Directed surveillance" is defined in *subsection (2)* as **covert surveillance that is undertaken in relation to a specific investigation or a specific operation which is likely to result in the obtaining of private information about a person (whether or not one specifically identified for the purposes of the investigation or operation);**

*and otherwise than by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation under this Part to be sought for the carrying out of the surveillance. - (planned),*

In this section "private information", in relation to a person, includes any information relating to his private or family life.

If a CCTV user is carrying out normal everyday observations by operating a particular camera to gain the best information; albeit it may not be the most obvious camera to use, or the nearest to the incident being observed, that use will not be deemed to be "covert" under the terms of the act; it is using modern technology to the advantage of the operator. It will only be where CCTV cameras are to be used in a planned, targeted way to gain private information that the requirements of authorised directed surveillance need to be met.

If users are requested to operate their cameras as part of a planned operation where the subject is unaware that targeted surveillance is, or may be, taking place; "private information" is to be gained and it involves systematic surveillance of an individual/s (whether or not the target of the operation) then a RIPA "directed surveillance" authority must be obtained.

### **Authorisations:**

Intrusive surveillance can be only be "authorised" by chief officers within UK police forces and H.M. Customs & Excise and is therefore irrelevant for any other authority or agency. It is an area of RIPA that CCTV users can largely disregard.

Those who can authorise covert surveillance for public authorities listed in Sch. 1/Part1, in respect to Directed surveillance are detailed in Article 2 / Part I - Statutory Instrument 2417/2000: The Regulation of Investigatory Powers (Prescription of Offices, Ranks and Positions) Order 2000.

e.g.:

*A Local Authority* (within the meaning of section 1 of the Local Government Act 1999). The prescribed office as a minimum level of authority is:

Assistant Chief Officer; Officer responsible for the management of an investigation.

*Police Forces* - A police force maintained under section 2 of the Police Act 1996 (police forces in England and Wales). The prescribed level is a Superintendent; for urgent cases an Inspector.

The impact for staff in Police control rooms and CCTV monitoring centres, is that there might be cause to monitor for some time, a person or premises using the cameras. In most cases, this will be an immediate response to events or circumstances. In this case, it would not require

authorisation unless it were to continue for some time. The RIPA draft Code of Practice suggests some hours rather than minutes.

In cases where a pre-planned incident or operation wishes to make use of public/private CCTV for such monitoring, an authority will almost certainly be required from the appropriate person with the authorised agency.

The 'authority' must indicate the reasons and should fall within one of the following categories:-

*An authorisation is necessary on grounds falling within this subsection if it is necessary-*

- (a) in the interests of national security;*
- (b) for the purpose of preventing or detecting crime or of preventing disorder;*
- (c) in the interests of the economic well-being of the United Kingdom;*
- (d) in the interests of public safety;*
- (e) for the purpose of protecting public health;*
- (f) for the purpose of assessing or collecting any tax, duty, levy or other imposition, contribution or charge payable to a government department; or*
- (g) for any purpose (not falling within paragraphs (a) to (f)) which is specified for the purposes of this subsection by an order made by the Secretary of State.*

Every RIPA authority must be thought through and the thought process clearly demonstrated and recorded on the application. Necessity and Proportionality must be fully considered; asking the questions: "is it the only way?", "what else have I considered?". It should not be a repeat of principles – in order to prevent & detect crime or in the interests of public safety etc.

Whenever an authority is issued it must be regularly reviewed as the investigation progresses and it must be cancelled properly upon conclusion. The completion of these stages will be looked at during any inspection process.

In cases where there is doubt as to whether an authorisation is required or not, it may be prudent to obtain the necessary authority verbally and then later in writing using the forms.

Forms should be available at each CCTV monitoring centre and are to be included in the procedural manual and available from the CCTV User Group Website

## **Policing examples:**

### **Insp. Authorisation- urgent request (up to 72hrs)**

An example of a request requiring an urgent Inspectors authority might be where a car is found in a car park late at night and known to belong to drug dealers. The officers might task CCTV to watch the vehicle over a period of *time (no longer response to immediate events)* and note who goes to and from the vehicle - *sustained surveillance of individual/s gaining private information.*

### **Supt. Authorisation – non-urgent request**

Where crime squad officers are acting on intelligence linked to a long term, planned operation and they wish to have a shop premises monitored from the outside over a period of days, which is suspected of dealing in stolen goods.

**No authorisation required**

Where officers are on patrol and come across a local drug dealer sitting in the town centre/street. It would not be effective for them to remain in a shop doorway and wish to have the cameras monitor them instead, so as not to divulge the observation taking place. *Response to immediate events.*

**For access to all relevant information on this Act , including the Schedules and Statutory Instruments referred to in this guidance please visit:**

*[www.homeoffice.gov.uk/ripa/ripact.htm](http://www.homeoffice.gov.uk/ripa/ripact.htm)*

# Appendix 'I' Formulation, Application, and Liability for the CCTV User Group Model Code of Practice and Procedural Manual

## Intention and Formulation of the Model Code of Practice

The Model CCTV Code of Practice intends, as far as reasonably practicable, to encourage all 'public area' CCTV systems operating within the United Kingdom to be compliant with the law and safeguard the integrity of any CCTV System whilst ensuring the right to privacy is not breached.

**These codes are compiled from CCTV 'best practice' and take account of all legislative changes that effect CCTV. In themselves they are not legally enforceable. They should be used in addition to the Data Protection Act 2018 - Code of Practice for CCTV which provides standards to be met to ensure compliance with that act; the Codes of Practice issued under The Criminal Procedures & Investigations Act 1996; Codes – Police & Criminal Evidence Act 1976 and draft codes under Regulation of Investigatory Powers Act 2000. Any court or tribunal will only recognise Codes of Practice issued under specific legislation.**

In developing these Codes of Practice we acknowledge the guidance and assistance of a great many organisations and Local Authorities throughout the UK but particularly mention the assistance of Thames Valley Police and their Human Rights Audit Team. The collective work by all the individuals and organisations involved has greatly assisted in the preparation of this document and makes it, we believe, the foremost point of reference in developing that essential Code of Practice which is critical for any CCTV system.

## **CABINET**

**DATE OF MEETING: 1 OCTOBER 2020**

**TITLE OF REPORT: FUTURE PROVISION OF CCTV SERVICE**

**Report of: Head of Environment and Technical Services**

**Cabinet member: Councillor James Radley, Deputy Leader and Finance**

### **1 PURPOSE OF REPORT**

1.1 Following review of the Council's CCTV service and the associated costs required to operate and maintain it, this report outlines the options for and makes recommendations on future CCTV service delivery.

### **2 OFFICER RECOMMENDATION**

2.1 Cabinet are RECOMMENDED to approve: –

- (i) the termination of the shared service agreement with Rushmoor Borough council for the monitoring of Harts CCTV cameras.
- (ii) the establishment of a legal agreement with Runnymede Borough Council for the monitoring of Harts CCTV cameras as outlined in the below report;
- (iii) the commencement of all necessary technical feasibility and other preliminary works to affect the proposed new service agreement;
- (iv) that a budget of £104k is allocated in the council's capital programme to fund implementation and decommissioning costs.
- (v) that a budget of £15k per annum is allocated to the council's capital programme for 3 year period commencing in 2021/22 to fund a rolling replacement of the Councils CCTV camera stock.

### **3 INTRODUCTION**

3.1 Against a backdrop of aging CCTV equipment, within the CCTV room which required significant capital investment, Rushmoor Borough Council commissioned a consultant to consider future options, recommendations and research on alternative service provision.

3.2 As a result of this evidence, in July 2020 Rushmoor Borough Council's Cabinet agreed to outsource the future delivery of their CCTV service to Runnymede Borough Council. The impact of this decision for Hart is, in

essence, the termination of the shared service arrangement for the monitoring of Harts CCTV cameras

- 3.3 This report therefore looks to the future options for Hart District Councils CCTV provision, including the potential to close the service, which would be a key decision for the Council, as it impacts on a number of areas.

## 4 BACKGROUND

- 4.1 There is no direct statutory duty requiring the provision and management of CCTV by local Councils. However, the Crime & Disorder Act 1998 (CDA98) requires each authority to exercise its functions to prevent crime and disorder;
- 4.2 The Council has, in part fulfilment of this obligation, operated a CCTV service covering Fleet, Hook and Blackwater and has cameras mounted in all of its off street car parks.
- 4.3 First established as a stand-alone service, the Council subsequently joined forces with Rushmoor Borough Council (RBC) and have operated a joint CCTV service since 2013. The purpose of this joint service was defined as to ***'help deter and prevent crime and disorder and reduce the fear of crime'*** with the overarching objective to ***'help make Hart and Rushmoor safer areas in which to live'***.
- 4.3 The joint service has comprised a dedicated control centre located within the Rushmoor Borough Council Offices. The control room is staffed by six staff (6.38 FTE) and manned between 07:00 and 01:00 Sundays to Wednesdays and between 07:00 and 04:00 Thursdays to Saturdays on a shift rota basis. A number of these posts are currently vacant and covered by other Council staff. Here, a total of 116 mixed analogue and digital cameras are monitored and recorded 365 days per year 24 hours a day.
- 4.4 Save for a hosting charge and the specific camera maintenance and transmission costs of each authority, the overall costs of the joint service are split 55:45 between Rushmoor and Hart respectively. This split was established on the basis of the number of CCTV cameras monitored in each district area at the time of its launch and is embedded in a 10-year deed of operation between the two Council's, of which we are in year six. In common with other shared service approaches, the agreement is subject to a 12 months' notice of termination. The costs and work of the shared CCTV service is overseen by a Joint Governance Group (JGG), made up of representatives from Rushmoor and Hart in accordance with this deed.
- 4.5 The 2020/21 budget for the CCTV service is £133,324 which includes direct service costs and overheads such as support service costs and accounting charges. The service budget includes a payment of £141,200 to Rushmoor Borough Council for management and monitoring of Harts cameras. This is offset by an income of £5,464 from some Parish Councils for the management and monitoring of their cameras and an internal recharge of £62,060 for the monitoring of some Hart assets



including the Civic Offices and all of its car parks. A breakdown of the current service budget is shown in the table below:

CCTV Service	20/21 Budget (£)
Employees	7,711
Contribution to Rushmoor BC	141,200
BT line rental charges	26,031
Internal recharges	3,222
Depreciation	22,684
Income from Parish Council's	(5,464)
Internal recharge to services	(62,060)
Net total cost	133,324

4.6 Whilst it is not possible to effectively quantify its deterrence effect, in 2019/20 the following activity was recorded on the Hart element of the service, 559 incidents, leading to a known 22 arrests, 178 ancillary transactions. Incidents included the monitoring of suspicious individuals or groups, road traffic incidents, shoplifters and night-time economy venues etc. The CCTV Control Room and Police are in direct contact and share intelligence on a daily basis. The CCTV service also acts as the primary reception and co-ordination point for all out of hours calls for both Council's and 232 of which were recorded in Hart.

4.7 This report and its recommendations were considered by Harts Overview and Scrutiny Committee at its September 2020 meeting. Having considered this the committee agreed that:

Members cannot support Officer recommendations as set out in the report points (ii) – (vi) without further information. It was agreed that further information would be circulated, and that Councillor Radley would ensure that this information, together with this Committee's concerns, be addressed at Cabinet.

Copies of both the latest monthly and annual reports for the CCTV service were subsequently circulated to the committee members. Copies of these reports will also be separately circulated to all Cabinet members ahead of the meeting.

## 5 PROPOSAL(S)

### 5.1 Proposal background and context

In view of these complex and interdependent issues, RBC engaged SGW Consulting in 2018 in order to assess the joint CCTV Service and advise on the costs of refreshing the control room, cameras and related infrastructure. SGW are security consultant specialists with significant experience in advising local authorities on their CCTV requirements and have been in the market since 2003.

- 5.2 Following their commission, SGW subsequently produced a full specification for a new CCTV control room, cameras and infrastructure. This estimates the cost of refitting the current control room at approximately £300,000. This included reconfiguration of the room to a more appropriate layout, as well as replacement of end of life equipment and a new video management system. Under the shared service agreement, the expectation is that Hart would need to pay £135K capital cost for the continuation of this service.
- 5.3 Given the high capital expenditure required for this project, alternative delivery models including outsourcing of the control room and monitoring arrangements were also explored.
- 5.4 An alternative to the refitting of the current control room would be for Hart to set up its own control room at the Civic offices. Whilst this was given initial consideration this option was discounted for the following reasons:
1. The estimated capital cost of doing this would exceed the cost of retrofitting the existing CCTV control room.
  2. The estimated annual operating costs would exceed the existing shared service costs.
  3. Uncertainty about the future plans for the civic site.
- 5.5 Accordingly, a number of public and private sector companies were consulted on a 'soft market testing' basis regarding alternatives for provision of a CCTV control room and monitoring services. As an exemption from full EU Procurement rules it is open to the Council to enter into arrangements with another local authority in the provision of public services to achieve common objectives in the public interest. In light of this more detailed exploration of potential costs was subsequently explored with interested local authorities. Of those, Runnymede Borough Council proffered an enhanced service provision with the most significant cost saving opportunities as outlined below.

### **Preferred Option**

- 5.6 Runnymede have estimated that their charge for providing a control room, monitoring services and maintenance of Harts cameras would be £85k /annum. Whilst this does not include for dealing with Harts out of hours calls, Runnymede have indicated that they would be able to provide this element of the service if required, and it is recommend that £15k per annum should be ring fenced for this. The estimates provided would deliver an annual saving of £41k/annum when compared with a current shared service payment.
- 5.7 Having discounted setting up the council's own CCTV control room this leaves two broad options for consideration:

- Option 1 – Cease provision of this non statutory service. When considering this option it should be noted that Hart has a low level of criminality.
- Option 2 – Enter into new service arrangement with Runnymede BC.

5.8 It is estimated that to cease provision of the CCTV service would deliver an annual revenue saving of £162k /annum. Whilst transferring of the service to Runnymede would deliver an estimated revenue saving of £41k/annum.

5.9 Runnymede offer a modern, up to date and compliant service, with monitoring 24 hours a day – an enhancement on our current monitoring. There are opportunities to further modernise working practices, with Runnymede able to provide remote access to footage to both Hart and Police colleagues.

## **6 CONSULTATION ON PROPOSALS**

### **6.1 Joint Governance Group**

The Joint Governance Group (JGG) responsible for overseeing the shared service on behalf of Hart and Rushmoor have been informed of the outcome of this review.

### **6.2 Seeking of external contributions for the service**

Given the positive impact that service provision has on local Policing, an approach was made to the Office of the Police and Crime Commissioner and Chief Constable to enquire as to whether a contribution to service costs would be possible. Both have confirmed that due to current and ongoing financial constraints this would not be possible.

## **7 IMPLICATIONS**

### **7.1 Legal Implications**

The Council is under no statutory obligation to provide a public space surveillance system.

7.2 To ensure compliance with Data Protection legislation and the Surveillance Camera Commissioner’s code of practice, upgrades to the Control Room are required to facilitate privacy impact assessment and redaction of identified privacy impact zones. There is risk of breaching legislation and associated codes if these upgrades are not undertaken.

7.3 Whilst Runnymede have provided separate quotes for provision of a service to both Hart & Rushmoor and outsourcing can be pursued separately as necessary, this has obvious implications for the existing shared service agreement (under deed) which will need to be terminated.

7.4 Should Cabinet approve this process the Council will enter into an appropriate agreement with Runnymede Borough Council.

## 7.5 **Financial and Resource Implications**

### **Capital spend**

7.6 The Council has not in the past made any capital budget provision for the refurbishment of the shared Control Room.

7.7 Given the impact of Covid-19 on the Council's finances, it is important that members consider the revenue implications of any additional capital expenditure.

### **Implementation costs**

7.8 Runnymede have estimated the cost for upgrading their control room to accommodate Harts cameras to be £70k.

## 7.9 **Decommissioning of control room equipment**

If Hart (and Rushmoor) choose to cease the current service altogether or outsource to Runnymede there will be costs associated with the decommissioning of current control room equipment and returning the room to normal office space. These costs are estimated to be £75,000 of which Harts contribution would be £34,000.

7.10 The payback period for this move to Runnymede Council is less than 3 years (capita £104K against revenue savings of £41K per annum)

## 8 **Equalities Impact Implications**

There are no known equalities impact implications arising from the proposed recommendations.

## 9 **Crime and Disorder Implications**

Should the Council choose to continue the service as it currently is whether in-house or outsourced, there should be no implications and the service should be able to continue to help deter and prevent crime and disorder.

9.1 Should the Council choose to cease the service altogether, there may be implications impacting the Police, their ability to resolve incidents that would have otherwise been evidenced by our existing CCTV arrangements and subsequent arrests. There would be impacts to intelligence gathered and shared across the District. The impact on Policing locally cannot at present be completely understood. Local Police representatives have indicated a desire for the service to continue, however as noted in paragraph 6.2 that neither the Office of the Police and Crime Commissioner nor the Chief Constable felt able to contribute to this service.

## **10 CONCLUSION**

- 10.1 The shared CCTV service with Rushmoor has operated effectively since 2013. However, following Rushmoors decision to outsource the monitoring of its cameras to Runnymede, the existing shared service arrangement will be terminated. This leaves Hart with the option of either ceasing to provide a CCTV service or making alternative arrangements for the service to be provided. Having considered the options available this report recommends that Hart enter into a new service agreement with Runnymede Borough Council.

**APPENDICIES: None**

### **BACKGROUND DOCUMENTS:**

- Minutes of Hart Overview and Scrutiny Committee - 15 Sept 2020
- Joint Hart and Rushmoor CCTV control Service Monthly Report - July 2020
- Hart and Rushmoor Joint CCTV Service Annual Report 2019-20
- Review of Shared CCTV System – Cabinet Report June 2018.

**Contact Details: Name John Elson / Tel No 01252 774491 / Email: john.elson@hart.gov.uk**

## **Minutes:**

Following review of the Council's CCTV service and the associated costs required to operate and maintain it, this report outlined the options for and makes recommendations on future CCTV service delivery.

### Members considered:

- The termination of the shared service agreement with Rushmoor Borough Council for the monitoring of Hart's CCTV cameras.
- The option to continue to run the service and establish a legal agreement with Runnymede Borough Council, who currently operate a CCTV service for themselves and Spelthorne Borough Council, to monitor the cameras.
- The commencement of all necessary technical feasibility and other preliminary works to affect the proposed new service agreement.
- That a budget of £104K is allocated in the council's capital programme to fund implementation and decommissioning costs.
- That a budget of £15K per annum is allocated to the Council's capital programme for a 3-year period commencing in 2021/2022 to fund a rolling replacement of the Council's CCTV camera stock.

### Members discussed:

- Runnymede operators in Runnymede will come to Hart to familiarise themselves with the Hart area.
- The level of service and how that may change recognising the benefits of the new service outweighing any disadvantages.
- Whether a consultation with Parish Councils has taken place.
- The cost of de-commissioning the service under the original Contract Hart inherited at the start of the service and asked Officers to double-check the break clause for a possibility to reduce the cost.

## **DECISION**

### Cabinet Agreed:

- (i) the termination of the shared service agreement with Rushmoor Borough Council for the monitoring of Harts CCTV cameras;
- (ii) the establishment of a legal agreement with Runnymede Borough Council for the monitoring of Harts CCTV cameras as outlined in the below report;
- (iii) the commencement of all necessary technical feasibility and other preliminary works to affect the proposed new service agreement;

- (iv) that a budget of £104k is allocated in the council's capital programme to fund implementation and decommissioning costs.
- (v) that a budget of £15k per annum is allocated to the council's capital programme for 3-year period commencing in 2021/22 to fund a rolling replacement of the Councils CCTV camera stock.

Document is Exempt from Publication



## **About our CCTV control room and service**

The images from the cameras are transmitted to The Safer Runnymede Control Centre in Addlestone which provides 24/7 monitoring. All control centre operators are fully police and DBS checked and hold a Security Industry Authority public spaces protection licence.

The cameras record 24 hours-a-day, seven-days-a-week and provide coverage for Fleet, Yateley, Blackwater, Hook and Hartley Wintney.

## **CCTV footage**

Footage from all our cameras is digitally recorded. We keep the footage for 31 days, after which it is automatically overwritten and is no longer available. The police and other agencies can ask for a copy of any footage we hold or to review it, particularly if an incident is reported to them. We may keep footage for longer if it is for an ongoing investigation and has been officially requested in time.

## **Requesting CCTV footage**

Before you ask us, please check our maps to make sure there is a camera at the location you'd like us to check.

You have the right to request, in writing or verbally, details of the information that is held about you and also the right to access a copy of the footage. This is known as a subject access request. This may be by the Council providing copies of documents or by inviting you to view the footage at one of its offices, if appropriate.

Hart District Council will not charge a fee to access your information. Sometimes there may be information that we are not allowed to show you, such as details about other people - this is called third-party information.

If you'd like to make a subject access request, please contact us by email at [data.protection@hart.gov.uk](mailto:data.protection@hart.gov.uk) or in writing to:

Data Protection Officer  
Hart District Council  
Harlington Way  
Fleet  
Hampshire  
GU51 4AE

## **External CCTV (via Runnymede Borough Council): privacy**

### ***Service area covered by this privacy notice***

External CCTV (via Runnymede Borough Council)

### ***Purpose of the processing***

- the Council collects personal information to enable it to process incidents captured on CCTV cameras located throughout the district

### ***Lawful basis for processing personal data***

- public task
- legal obligation

### ***Categories of personal data being processed***

- name
- address
- e-mail address
- telephone number
- photographs and images
- car number plates
- date of birth
- proof of address
- organisation
- relationship to data subject
- criminal offence data
- details of question or enquiry

### ***Special categories of personal data being processed (if appropriate)***

- proof of identity
- health data
- ethnic or racial origin data

### ***Conditions for processing special categories of personal data***

- substantial public interest

### ***Who the data might be shared with***

- relevant staff
- Runnymede Borough Council
- Fleet Town Council
- police (under a legal obligation)
- legal representative of the Court (i.e. under RIPA or other legal obligation)
- insurance companies
- solicitors
- Security Industry Authority
- relevant officers to the Court and/or other enforcement agencies
- representatives of the data subject or company whose personal data we are processing