

AYLESBURY VALE DISTRICT  
COUNCIL

AND

THAMES VALLEY POLICE

CLOSED CIRCUIT TELEVISION

CODE OF PRACTICE

AYLESBURY TOWN CENTRE  
SCHEME

SEPTEMBER 2008

# AYLESBURY VALE CCTV CODE OF PRACTICE

## Contents

	Page
1. Definitions	2
2. Background and Introduction	3
3. Objectives of the Scheme	4
4. Statement of Purpose and Principles	5-6
5. Data Protection	7-8
6. Accountability and Public Information	9
7. Assessment of the Scheme and Code	10
8. Control and Operation of Cameras	11
9. Access to, and Security of, Monitoring Rooms and Equipment	12
10. Recorded Material	13-14
Signatures on behalf of the Council and the Police	15

## 1. Definitions

1.1 In this Code, the words or phrases shown in the first column of this table have the meanings given to them in the second column

<b>Word or Phrase</b>	<b>Meaning</b>
CCTV	Closed circuit television
Code	This Code of Practice
Council	Aylesbury Vale District Council
Data Subject	An individual who is the subject of personal data held under the Scheme
Monitoring Room	The location within Police premises where the System is controlled, recorded and monitored
Objectives	The objectives of the Scheme set out in paragraph 3 of this Code
Police	Thames Valley Police
Procedural Manual	The procedural manual agreed from time to time by the Council and the Police providing instructions and guidance on the detailed operation of the Scheme within the terms of this Code
Scheme	The Aylesbury Vale Closed Circuit Television Scheme described more fully in paragraph 2 of this Code
Town Centre	Aylesbury Town Centre

## **2. Background Introduction**

- 2.1 The Aylesbury Vale CCTV Scheme was introduced in Aylesbury Town Centre in 1997, as a result of a partnership between the Council, Aylesbury and District Chamber of Commerce, local businesses and the Police.
- 2.2 The Scheme consists of a number of colour cameras installed at strategic locations throughout the Town Centre. All the cameras are fully-operational with pan, tilt and zoom facilities and are primarily controlled and monitored from the CCTV Monitoring Room, currently located at the Police Station, Aylesbury, where there is also a recording facility. The Scheme does not include the Review Suite and the equipment therein which is located within a room within the Monitoring Room.
- 2.3 The Scheme can be extended to accommodate further cameras in public areas within Aylesbury Vale District.
- 2.4 The Scheme is owned by the Council and managed by the Police.
- 2.5 The Council has lodged a notification of the use of the Scheme with the office of the Information Commissioner.
- 2.6 The Council and the Police have agreed to this revised Code, which supersedes and replaces three earlier Codes of Practice completed in 1997, 2003 and April 2006.

### **3. Objectives of the Scheme**

3.1 The objectives of the Scheme are:

- to improve the general security of the Town Centre, in terms of personal safety, health and the security of buildings, premises and property
- to make the Town Centre more attractive to use and visit
- to reduce the fear of crime
- to reduce the level of street crime, vandalism and public disorder in the Town Centre
- to provide an aid to more effective policing and evidence for court proceedings

3.2 In pursuing the above objectives, the Council and the Police will ensure that the Scheme is operated:

- in compliance with all relevant legislation
- as a proportional response to identified problems
- with due respect for individual privacy
- only so far as is necessary in a democratic society in the interests of national security, public safety, economic well-being, the prevention or detection of crime or disorder, the protection of health or morals, or the protection of the rights or freedoms of others
- to ensure that recorded evidence is secured, retained and made available within the principles of natural justice and the right to fair trial
- with respect for all, avoiding unfair discrimination on any ground, including gender, race, ethnic or national origin, disability, family status, age, religious belief, class or sexuality

## **4. Statement of Purpose and Principles**

### **4.1 Purpose**

The purpose of this Code is to provide a clear statement of the intentions of the Council and the Police in pursuing the Objectives and to set out how those intentions are to be realised and to set out the relationship between the Council and the Police regarding the CCTV Scheme.

### **4.2 General Principles**

The Scheme will be operated in accordance with the following general principles:

- in full compliance with all legal requirements, including the Human Rights Act 1998 and all Data Protection legislation
- in accordance with the objectives and principles set out in paragraph 3 of this Code
- in a way that maintains the security and integrity of all operational procedures
- in the understanding that participation in the Scheme by an organisation or authority implies an agreement to comply fully with, and to be accountable under, the terms of this Code
- in the knowledge that the Council and the Police will fully investigate any perceived breach of this Code by any of their employees, members or volunteers

### **4.3 Copyright**

The Council has sole copyright in all recorded material produced within the Scheme.

### **4.4 Cameras**

A map showing the location of all cameras within the Scheme is retained by the Property and Operational Services Division of the Council.

### **4.5 Procedural Manual**

The Procedural Manual will be agreed on behalf of the Council and the Police to provide instruction and guidance on the detailed operation of the Scheme. No-one will be permitted to use or operate the control, monitoring and recording equipment or any recorded material within the Scheme except in strict compliance with the Procedural Manual.

The Procedural Manual will be updated from time to time as required, any amendments having first been agreed on behalf of the Council and the Police.

#### **4.6 Training**

No person will be permitted to use or operate the equipment or material within the Scheme unless they have been authorised to do so by the Police and have been licensed by the Security Industry Authority and have received adequate, relevant training on its use and operation, and on all relevant requirements of the Human Rights Act 1998, Data Protection legislation and this Code, in accordance with the Procedural Manual.

#### **4.7 Amendments**

No amendments may be made to this Code or the Procedural Manual unless they have been approved by the Council and by the Police. The Council's Chief Executive may give such approval on behalf of the Council provided that, except in the case of amendments of a minor or purely procedural nature, he or she has first obtained appropriate professional advice and consulted the Council's Group Leaders on the proposed amendments.

## **5. Data Protection**

- 5.1 In recognising the widespread public acceptance of the benefits of responsibly-regulated CCTV systems, the Council and the Police are nevertheless wholly committed to the defence, support and respect for the individual right to privacy. In operating the Scheme, the Council and the Police will regard that right as paramount within the provisions of current data protection and human rights legislation. Accordingly the Scheme will not be used in such a way that infringes the civil liberties or human rights of any individual.
- 5.2 The Council has lodged a notification of the Scheme with the Office of the Information Commissioner.
- 5.3 In operating the Scheme, the Council and the Police will observe the requirements of the Data Protection Act 1998. These are based on the Data Protection Principles which say that data must be:
- fairly and lawfully processed
  - processed for limited purposes and not in any manner incompatible with those purposes
  - adequate, relevant and not excessive
  - accurate
  - not kept for longer than is necessary
  - processed in accordance with individuals' rights
  - secure
  - not transferred to countries without adequate protection
- 5.4 All staff involved in operating the Scheme must be made aware of the rights of access by Data Subjects to data held under the Scheme. Any Data Subject requesting access to or information about data held under the Scheme must do so by using an application form, approved by the Police as manager of the Scheme, which:
- indicates the information needed to locate the data
  - indicates the information needed to identify the Data Subject
  - indicates the fee to be charged (not exceeding £10.00) for carrying out the search for the data requested
  - asks whether the Data Subject will be satisfied with merely viewing the recorded data
  - indicates the time within which a response will be provided (being no longer than 30 days after receiving the required information and fee)
  - explains the Data Subject's rights under the Data Protection Act
- 5.5 Where data is disclosed to Data Subjects, the Police as manager of the Scheme must decide whether images of third parties are held under a duty of confidence and, if so, the images of individuals other than the Data Subject must be blurred or disguised so that they are not readily identifiable.

5.6 Personal data held for the purposes of:

- the prevention or detection of crime
- the apprehension or prosecution of offenders

will be exempt from the rights set out in this section if the application of those rights is likely to prejudice either of those purposes.

## **6. Accountability and Public Information**

### **6.1 Aylesbury Vale District Council**

The Council's Chief Executive is responsible for approving amendments to this Code under paragraph 4.7 and the release of recorded information under paragraph 10.2 of this Code, subject to consultation with the Council's Group Leaders as indicated in those paragraphs.

The Council's Head of Property and Operational Services is responsible for discharging the Council's other functions under this Code.

### **6.2 Thames Valley Police**

The officer nominated by the Aylesbury Area Commander will have day to day responsibility for managing the Scheme.

### **6.3 Public Information**

Copies of this Code will be deposited at the offices of the Council, Aylesbury Police Station and the Monitoring Room and will be made available to anyone requesting them.

Annual reports on the Scheme will be published jointly by the Council and the Police and copies made available to anyone requesting them.

Clearly visible and legible signs will be placed so that members of the public are aware that they are entering a zone covered by the Scheme. The signs will indicate:

- the presence of 24 hour CCTV monitoring
- the area covered
- the owners of the Scheme (the Council)
- contact numbers of the Scheme managers (the Police)

### **6.4 Complaints**

Anyone wishing to complain about any aspect of the Scheme may do so by contacting the Council's Head of Property and Operational Services or the Police who will deal with the complaint in accordance with their existing complaints procedures.

## **7. Assessment of the Scheme and Code**

### **7.1 Evaluation**

The Council and the Police will jointly arrange from time to time (and no less frequently than every three years) for an independent evaluation of the Scheme and of this Code. These evaluations will take account of:

- the objectives of the Scheme set out in paragraph 3 of this Code
- any displacement of crime from the areas monitored
- public opinion
- the operation of this Code

The results of each evaluation will be published and taken into account by the Council and the Police in their future management and operation of the Scheme.

### **7.2 Monitoring**

The police officer nominated by the Aylesbury Area Commander as responsible for managing the Scheme will have day to day responsibility for monitoring the operation of the Scheme and the implementation of this Code.

### **7.3 Audit**

Audit of the Scheme and of this Code will be carried out as part of the on-going and respective audit functions of the Council and the Police.

### **7.4 Inspection**

The Council will maintain a CCTV Inspection Panel of elected members, which will operate a rota of individual monthly inspections of the Monitoring Room and its records.

A record of these inspection visits will be held at the Monitoring Room and be made available to the Council and the Police.

All Panel members will provide written feedback on every visit, using approved forms provided by the Council for this purpose. The outcome of this feedback will be reported periodically to the Council's Chief Executive and to the Aylesbury Police Area Commander.

### **7.5 Discipline**

All Council and Police staff responsible for operating the Scheme or implementing this Code will be subject to the respective disciplinary rules and procedures of the Council and the Police. Any breaches of this Code will be dealt with according to those rules and procedures.

## **8. Control and Operation of Cameras**

### **8.1 Guiding Principles**

All camera operators must act fully in accordance with the principles and values set out in this Code and, if required, be prepared to justify their recording of any particular individual.

Cameras will not be used to look into private property and, where private property lies within the range of any camera, privacy zones will be programmed into the System to ensure that the private property is masked from the camera's field of view.

### **8.2 Recording**

Recording of information received under the Scheme will take place only within the Monitoring Room or such other room authorised by the Property and Operational Services Division of the Council.

### **8.3 Control**

Only those staff responsible for using the equipment in the Monitoring Room will have control of that equipment and will have control of all equipment within the Scheme.

**9. Access to, and Security of, Monitoring Rooms and Equipment**

- 9.1 No member of the public will be allowed access to the Monitoring Room unless the Aylesbury Police Area Commander or his/her nominee is satisfied that there are lawful, proper and sufficient reasons for access and has given express permission to that effect.
- 9.2 A record will be kept of all visits to the Monitoring Room as far as is reasonably practical, for whatever purpose, and the record made available to the Council and the Police.
- 9.3 An authorised operator will normally be present at all times when the equipment in the monitoring room is in use. Any room containing monitoring equipment will be properly secured at any time when it is unattended.

## **10 Recorded Material**

### **10.1 Guiding Principles**

To ensure admissibility of the recorded material as legal evidence and to reinforce public confidence in the Scheme, all recorded material must be managed and maintained in a way that ensures its security and integrity strictly in accordance with the principles outlined in this Code and the procedures set out in the Procedural Manual.

**Access to the recorded material will be permitted in the circumstances specified in paragraph 10.2 of this Code and for no other purpose whatsoever.**

### **10.2 Access to Recorded Material**

Recorded material may be made available or released in line with ACPO policy on the disclosure of CCTV images and in accordance with the procedural manual:

- to a police service or other statutory agency in connection with the investigation or prosecution of any criminal offence
- to the Council in connection with the investigation or prosecution of any criminal offence
- to parties or their representatives in connection with any civil proceedings, but only in compliance with a court order to that effect
- to the news media in the following circumstances only:
  - (a) to assist a police service or other statutory agency in the investigation or prosecution of a criminal offence
  - (b) to alert the public about specific types of criminal or anti-social behaviour
  - (c) in other circumstances where it is overwhelmingly in the public interest to do so and only with the express consent of the Police in line with ACPO policy and the Council's Chief Executive, in consultation with the Council's Group Leaders.

### **10.3 Other Provisions**

Copying and replay equipment within the Monitoring Room may not be used for processing material from sources outside the Scheme, except in accordance with this Code and the Procedural Manual.

All video tapes or other recording media used in the Scheme must have been specifically provided for that purpose within the terms of the Procedural Manual and must meet all Home Office guidelines and criteria.

All recordings within the Scheme must be maintained for a period of not less than 28 days and no video tape or other recording medium may be destroyed

or re-used unless all recorded material has been erased from it by an approved operator in accordance with the Procedural Manual.

No copy or print of any recorded material may be made or retained unless fully justified in accordance with the principles of this Code, and the circumstances logged and recorded in accordance with the Procedural Manual. All retained copies or prints must be reviewed at least every twelve months and, unless their retention is justified for identification or other legitimate purposes, must be destroyed.

**Signed** on behalf of Aylesbury  
Vale District Council: .....

Full Name: .....

Position: .....

Date: .....

**Signed** on behalf of Thames  
Valley Police: .....

Full Name .....

Position: .....

Date: .....