BOSTON BOROUGH COUNCIL
CCTV POLICY

Version 1.6

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1. INTRODUCTION AND DEFINITIONS

1.1. Boston Borough Council (BBC) has installed a comprehensive public realm CCTV surveillance system which covers key public spaces, namely town and village centres, car parks, playing fields and other Council assets in Boston and Kirton. In addition, the Council has installed a number of separate systems at key Council premises and on a number of its operational vehicles. The Council also provides public realm CCTV services to neighbouring authorities under individual monitoring agreements. The following CCTV systems are in use by Boston Borough Council:

- **General Public Space CCTV System** – this is the Council's main system which covers key public spaces, namely town centre areas, car parks, playing fields and other Council assets in Boston and Kirton and in neighbouring authority areas. The cameras within this system are monitored in the Council's central CCTV Control Suite. Live images are visible to staff on site; recorded images are accessible to duly authorised officers in accordance with this policy

- **GMLC CCTV System** – this system provides internal and external CCTV coverage of the Council's Geoff Moulder Leisure Centre. Live images are visible to staff on site. Images from GMLC are also visible to staff in the Council's CCTV Control Suite. Live images are visible to staff on site; recorded images are accessible to duly authorised officers in accordance with this policy.

- **St John's Depot CCTV System** – this system provides internal and external CCTV coverage of the Council's operations depot. Live images are visible to staff on site; recorded images are accessible to duly authorised officers in accordance with this policy.

- **Boston Crematorium CCTV System** - this system provides internal and external CCTV coverage of the Council's crematorium. Live images are visible to staff on site; recorded images are accessible to duly authorised officers in accordance with this policy.

- **Boston Guildhall CCTV System** – this system provides internal CCTV coverage within the Council's Guildhall. Live images are visible to staff on site; recorded images are accessible to duly authorised officers in accordance with this policy.

- **Municipal Buildings CCTV System** - this system provides internal CCTV coverage within the Council's Municipal Buildings. This system was upgraded in March 2018 to meet the security requirements of the Department of Works and Pensions who are co-located in the Council's offices. Live images are visible to staff on

site; recorded images are accessible to duly authorised officers in accordance with this policy.

- **IT Server Room CCTV System** - this system provides internal CCTV coverage within the Council's IT server room. Live images are visible to staff on site; recorded images are accessible to duly authorised officers in accordance with this policy.
- **Operational Vehicle CCTV System** – the Council has fitted a number of its operational vehicles with CCTV cameras. Live images are visible within the vehicle; recorded images are accessible to duly authorised officers in accordance with this policy.

1.2. Definitions:

"BBC"	The Council of the Borough of Boston.
"The Surveillance Area"	The areas covered by the CCTV cameras
"Duly Authorised Officer"	The Lead Officer and other Officers duly authorised by the Policy (and where necessary, Licensed) to review recorded images captured by the relevant CCTV systems.
"CCTV Operator"	Any member of staff employed by BBC to monitor CCTV images **at the Control Room.**
"The Management Group"	The group comprising of members of the Corporate Management Team (CMT) and Lead Officers (Service Managers) responsible for the services where CCTV systems are in use.
"Control Room"	The central monitoring centre operated by Boston Borough Council in Boston.
"DPA"	Data Protection Act 2018.
"RIPA"	The Regulation of Investigatory Powers Act 2000.
"Police airwaves"	The radio communication network used by the police.

1.3. The CCTV system is owned by Boston Borough Council and the control room is staffed by trained Council employees.

1.4. The CCTV Control Room will monitor and control the system for 24 hours per day, each day of the year.

1.5. In addition to BBC staff, this policy applies to the Police and other interested parties. It provides a clear statement of the purpose of the scheme and

gives guidance on the operation and management of the system. This Policy applies to the operation and use of all camera systems monitored by Boston Borough Council under all of its monitoring agreements.

1.6. All recorded material is owned by Boston Borough Council and each system and will be used in accordance with all prevailing statutory requirements including but not being limited to the Data Protection Act 2018, the General Data Protection Regulation, The Law Enforcement Directive (EU Data Protection Directive 2016/680), The Regulation of Investigatory Powers Act 2000 and the Protection of Freedoms Act 2012. The Council also takes proper regard to the Surveillance Camera Code of Practice 2013 issued by the Surveillance Camera Comissioner and will work to develop the good practice advice set out in *'In the picture: A data protection code of practice for surveillance cameras and personal information'* published by the Information Commissioner's Office in May 2015.

2. PURPOSE

2.1. The primary objectives of the Council's CCTV systems (and those monitored by the Council under its various agreements) are to provide a safe environment for the benefit of those who live, work, trade, visit, service and enjoy local facilities. Their collective purpose is to:

- **Reduce the fear of crime and provide reassurance to the public through provision of a Public Space CCTV System.**
- **Assist in the detection and prevention of crime, anti-social behaviour and the maintenance of public order.**
- **Facilitate the apprehension and prosecution of offenders in relation to crime, public order and anti-social behaviour.**
- **To collect and provide evidence for the purpose of criminal and civil litigation by the police or other bodies with a responsibility for enforcing law, licensing regimes and other regulatory functions.**
- **To protect Council assets, resources, staff, land and other public facilities and ensure reasonable, justified and proportionate compliance with Council Policy and Procedure.**
- **To assist in improving the environment of the area.**
- **To provide assistance to emergency services.**

2.2. The primary objectives have been drawn up by the Management Group and approved by BBC. They are based on local concerns and pressing needs

and will be reviewed at least annually by the Management Group and reported accordingly.

2.3. The CCTV systems will be primarily used for the provision of recordings for evidential purposes to the Police and other bodies who have relevant enforcement powers. Any data captured by any system may also be used for other purposes where it is reasonable, justified and proportionate to do so and where relevant authorisation exists.

2.4. This Policy will be supplemented with a separate operational procedural guide for authorised officers and system operators.

3. PRIVACY

3.1. The CCTV systems will be included in BBC's Data Protection Register and registered with the Information Commissioner and operate in accordance with all data protection requirements.

3.2. Every consideration will be given to the right of the general public to go about their daily business with minimum loss of privacy. Whilst total privacy cannot be guaranteed within a CCTV area, the cameras and their recordings will not be used to unduly monitor persons going about their lawful business. Where appropriate, cameras will be configured with 'privacy screening' preventing privacy intrusions.

3.3. Persons will only be actively monitored for any length of time if there is suspicion or knowledge that an offence may have occurred or be about to occur or where other relevant authorisation is in place, e.g., an authorisation to use Directed Covert Surveillance under RIPA. In any event, a comprehensive incident log will be recorded giving a reason for the monitoring of the individual. All operators and duly authorised officers must be able to justify their actions at all times.

3.4. CCTV Operators using and monitoring the General Public Space CCTV system must only use the cameras to view public areas and not to look into the interior of any private premises or any other area where an infringement of privacy of individuals may occur. The only exceptions to this rule are:

- If an authorised operation is mounted under the Regulation of Investigatory Powers Act
- Response to police or other relevant enforcement agencies' request for assistance following a crime being committed
- A CCTV Operator happens to observe something which they reasonably, justifiably and proportionately believe indicates that a crime is being, or is about to be committed in a non-public area.

- Any event where an Operator takes a decision positively to view a private area must be comprehensively recorded in an incident log. Operators will be required to justify their actions. Any breach of this condition of employment will result in disciplinary proceedings and may lead to the dismissal of the Operator.

3.5 Any changes to the processing of CCTV derived information, footage or stills will be assessed by the Data Protection Officer to determine if a formal Data Protection Impact Assessment (DPIA) is required (GDPR: Article 35(2))

4. LEGISLATION

4.1. The CCTV systems will be operated in accordance with all prevailing legislation and Statutory Codes of Guidance, including but not being limited to: the Human Rights Act 1998, Data Protection Act 2018, Regulation of Investigatory Powers Act 2000, Freedom of Information Act 2000, Protection of Freedoms Act 2012 and the Surveillance Camera Code of Practice (June 2013).

4.2. Where any doubt exists about the lawful and proper use of any of the Council's CCTV Systems, the data they capture or data gathered by way of any monitoring contract, legal advice or advice from the Surveillance Commissioner's Office will be sought.

5. THE MANAGEMENT GROUP AND CHANGES TO THE POLICY

5.1. The Management Group will oversee compliance with this policy and collectively recommend any changes necessary. **At all times the Management Group will have due regard to the 12 guiding principles set out within the Surveillance Camera Code of Practice, 2013**.

5.2. Minor and consequential changes to this policy can be made by the CCTV Manager on behalf of the Management Group. Any changes necessary will be fully documented and communicated to all relevant staff and external agencies where appropriate.

5.3. This policy is subject to version control and will be formally reviewed annually where it will be approved by the Council's Cabinet. Any major changes necessary outside of the annual review will also require formal approval by the Council's Cabinet. APPENDIX 2 provides the revision history.

6. GUIDING PRINCIPLES

6.1 In accordance with the Surveillance Camera Code of Practice (2013), the following 12 guiding principles have been adopted within the Boston Borough Council CCTV system. They are:

- Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.
- The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.
- There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.
- There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.
- Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.
- No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.
- Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.
- Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
- Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.

- There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.
- When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.
- Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

7. RESPONSIBILITIES OF THE OWNER

7.1. The "owner" of the systems set out at section 1.1 is **Boston Borough Council, Municipal Buildings, West Street, Boston, PE21 8QR**.

7.2. Where Boston Borough Council monitors cameras 'owned' by another local authority or private operator and regardless of whether or not it is the Data Controller, the Council will apply this policy.

7.3. Spot monitoring or audits may be carried out at any time by at least two members of the Management Group. If the audit involves the duties of one member of the Group, then that member should not be part of the audit team and the other representatives should carry out the audit.

8. PUBLIC INFORMATION AND ACCOUTABILITY

8.1. Cameras used within any of the CCTV Systems set out in section 1.1 will not be hidden.

8.2. Signs that CCTV cameras are operating will be displayed in and around surveillance areas in visible locations. There is however no requirement to place signs directly under individual cameras.

8.3. Copies of this Policy and the Council's Complaints Procedure will be made freely available.

8.4. An Annual CCTV Report will be published by the owner as set out within section 9.

9. ASSESSMENT OF THE SCHEME

9.1. The "Owner" is responsible for ensuring that the Council's CCTV Systems are evaluated at least annually.

9.2. Evaluation of the Council's **General Public Space CCTV System** will include data on the following performance indicators.

- Logged number of incidents
- Logged number of incidents involving arrests
- Number of evidential packages produced
- Number of incidents

9.3 This information will be reported on a quarterly basis to Scrutiny, Cabinet and Council. Quarterly performance information will be amalgamated into an annual report that will also include an evaluation of the Council's other CCTV systems.

10. CONTROL ROOM STAFFING

10.1. The owner will be responsible for the selection and recruitment of all staff employed to work with the CCTV Control Room.

10.2. An effective and fair system of recruitment has been established and is maintained by the Council. Staff to be employed within the Control Room are all subject to Police standard vetting (NPPV Level 2) and Enhanced Disclosure and Barring Service checks (DBS).

10.3. All staff must undertake the necessary accredited Public Space Security Industry Authority CCTV Training and become a licensed Public Space CCTV Operative under the Security Industry Authority requirements. Training will be provided by the Council.

10.4. All employees are bound by a Confidentiality Agreement which is enforceable both during and after cessation of employment. The Council also has a comprehensive Disciplinary Policy and Staff Code of Conduct, both of which are rigorously implemented.

10.5. Staff are appropriately trained in Data Protection, Equality and Covert Surveillance in order to avoid any misappropriation of data or breach of an individual's Human Rights.

10.6. The Council has a robust staff supervision and appraisal system in place which supports compliance with all Council Policy and Procedure.

11. BREACHES OF THIS POLICY

11.1. Responsibility for dealing with any breach of this Policy rests with the appropriate member of CMT. Any breach will be addressed using the relevant Council Policy and Procedure.

11.2. Any loss or risk of loss to personal data must be reported to the statutory Data Protection Officer (DPO) as soon as practicable to allow the DPO to conduct a suitable investigation.

12. CONTROL AND OPERATION OF CAMERAS

12.1. Only staff with responsibility for **using** CCTV equipment shall access the systems operating controls (other than those under supervised training)

12.2. All use of cameras and control equipment shall be in accordance with the purposes and primary objectives of this policy.

13. ACCESS AND SECURITY OF CONTROL ROOM AND POLICE AIRWAVES

13.1. Only those individuals with a legitimate reason to do so will be allowed access to the Council's CCTV Control Room.

13.2. Public access to the Control Room or the demonstration of equipment will be allowed subject to the primary objectives of the scheme and only upon authorisation from the operational manager or their superiors. In these circumstances a log of visitors will be kept, logging the purpose of the visit, names of visitors, date and times of the control room visit.

13.3. A licensed SIA operator will be present during the operation of the monitoring equipment. If monitors are to be left unattended, the room must be secured against unauthorised entry. The operation of the monitoring equipment shall be limited to staff with the correct authorisation, training and responsibility (other than those under supervised training).

13.4. An Incident Management log shall be maintained to record operator activities and incidents witnessed. In addition any visitor will be required to sign a Visitor Log detailing the purpose of the visit. Duty Operators will also log the times of their period of duty (shift) at the start and end of each shift.

13.5. The Incident Management log will be maintained on the basis of date and time of day throughout operations and include sufficient details of all incidents observed within the Control Room.

13.6. All systems must be fully maintained and any faults or defects reported appropriately according to the fault reporting procedure.

13.7. The Owner will comply with the controls placed upon users of the Airwaves system. This includes holding a TEA2 sub-license and NPPV Level 2 vetting of control room staff.

14. RECORDED MATERIAL AND STILL IMAGES

14.1. All recorded material produced from the Council's CCTV systems remain the property of the Council and are protected by copyright. Recorded material is held for a maximum of 30 days unless retained for evidential or training purposes.

14.2. Recorded material shall only be used for the purposes defined in the Policy.

14.3. Access to recorded material will only take place as defined in this Policy, ie. by duly authorised officers.

14.4. The release of recorded material to the public will only be allowed in accordance with the law. Recorded material will only be used in accordance with the primary objectives as set out in this Policy and in accordance with the Data Protection Act.

14.5. A Media Management log will be maintained giving the exact date and time of the production of each evidential package, the name of the person requesting the evidence and the reason for the request.

14.6. Evidential packages will be signed over to an Authorised Body, with no Master Copies retained by BBC. Evidential packages not collected by the requesting officer within six months will be destroyed.

14.7. Before any copies are removed from the Control Room or other location, a log of the media transaction will be recorded and signed by a duly authorised officer and the Authorised Body. By signing for the media, the Authorised Body accepts responsibility for the use, retention, secure storage and destruction of the evidential copies.

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

14.9. Evidence provided to the Police shall at no time be used by the police for anything other than the purpose specified and identified when the discs are

released to them by the Control Room.

14.10. Third party access to CCTV images will be considered in accordance with the objectives of this policy. Charges will be incurred to cover operational, administration and recording media costs. Details of current charges can be found on the Boston Borough Council website.

14.11. Access to recordings may be obtained in connection with civil disputes by Court Order or be extended to lawyers acting for defendants or victims in connection with criminal or civil proceedings.

14.12. Insurance Companies may have access to recordings of incidents in connection to their enquiries (e.g. road traffic collisions). Details of current charges can be found on the Boston Borough Council website.

14.13. No other access to data will be allowed unless approved by a duly authorised officer

14.14. Still images should not be taken as a matter of routine. The taking of each still image must be for justifiable reasons.

14.15. All still images will remain the property of the owner. A record will be kept of the reason for production of the photograph, date and time, the particulars of production, and information identifying the Control Room staff member responsible for producing the photograph.

14.16. At no time should a still image be used for anything other than the purpose specified and identified when released to the Police or other body.

14.17. Still images may be sent electronically via secure email to named officers.

15. DEALING WITH INCIDENTS

15.1. Locally agreed procedures provide for:

- Referral to Police who will respond according to local agreement.
- Compliance with local arrangements for reporting incidents or concerns.
- Compliance with local arrangements for reporting matters to emergency services.
- Referral to security staff according to local arrangements.

16. POLICE CONTACT AND USE OF THE COUNCIL'S CCTV SYSTEMS

16.1. Access to any Council CCTV recordings and the Control Room must comply with the Policy and the time and date and purpose of such access will be recorded and monitored.

16.2. All incidents and occurrences involving the Police will be recorded on the relevant CCTV System's Incident Log.

16.3. Use of any CCTV system by the Police must be in accordance with the Policy, any operations manual, and agreed protocols and should be subject to procedural safeguards and audit.

16.4. The control of cameras and their monitoring is, unless covered by RIPA or other authorisation, the responsibility of duly authorised staff only. The Police may request assistance in order to:

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

16.5. In circumstances when problems are anticipated, arrangements may be made for a Police Officer to be present within the CCTV Control Centre or other CCTV system location for liaison purposes. On each occasion a record must be made in the relevant system Incident Log.

17. MAJOR INCIDENTS

17.1. Use of the Council's General Public Space CCTV System is integrated into the Council's Emergency Planning Procedures for major civil emergencies. If required, the Council's Gold or Silver Commander can authorise the deployment of a Liaison Officer from the major civil emergencies team into the CCTV Control Centre. The CCTV Operator will give assistance and technical advice as required in all matters concerning the deployment and use of the facilities within the CCTV Control Centre.

18. COMPLAINTS

18.1. Complaints regarding any aspect of any Council CCTV system should be

made through the Council's Corporate Complaints Procedure.

18.2. All investigations following a complaint will be carried out in full accordance with the policy.

19. LEAD AND DULY AUTHORISED OFFICERS

19.1. Recorded images are personal data under the Data Protection Act 2018. Boston Borough Council is the Data Controller for the purpose of the Act. The Lead Duly Authorised Officer for each system is set out at within **APPENDIX 1** and is the Information Asset Owner. Additional Duly Authorised Officers within each function are also identified within the Appendix.

19.2. In addition to staff viewing live images, duly authorised officers with reasonable, justified and proportionate grounds can view recorded images in order to undertake audit checks, system checks and checks to ensure compliance with Council Policy and Procedure.

19.3. Each Lead Officer will be responsible for maintaining and implementing appropriate Operating Protocols for their respective CCTV system and ensuring that Data Access/Incident Logs for each system are maintained. As members of the Management Group, Lead Officers will be supported by the full Management Group.

19.4. Prior to any decision to procure additional cameras or new CCTV systems, a Privacy Impact Assessment must be undertaken to inform the decision making process.

20. APPENDIX 1: DULY AUTHORISED OFFICERS

CCTV SYSTEM	LEAD OFFICER [1]	ADDITIONAL DULY AUTHORISED OFFICERS[1]
BBC General Public Space CCTV System	CCTV Manager*	Community Safety Manager* CCTV Operators
GMLC CCTV System	Leisure Services Manager	Community Safety Manager CCTV Manager CCTV Operators
St John's Depot CCTV System	Operations Manager	Operations Supervisors, Assistant/Relief Supervisor and Operations Administrator.
Boston Crematorium CCTV System	Principal Officer, Bereavement and Cleaning	Operations Supervisor - Bereavement and Cleansing
Boston Guildhall CCTV System	Principal Museum, Arts and Heritage Officer	Collections Officer
Municipal Buildings Customer Services CCTV System	CCTV Manager*	Community Safety Manager* CCTV Operators
IT server Room CCTV System	IT Manager	IT Senior Operations Engineers IT Projects & Development Officer
Operational Vehicles CCTV System	Operations Manager	Operations Supervisors, Assistant/Relief Supervisor and Operations

		Administrator

[1] For the purpose of Authorisation, officers filling any of the posts within this table in an acting, interim or seconded capacity are also designated as Authorised Officers.

*The Community Safety Manager and CCTV Manager, as Public Space SIA Licence Holders, are 'Duly Authorised' to access data held within any of the Council's CCTV Systems where it is reasonable, justified and proportionate to do so. The Head of Service responsible for CCTV is the Council's corporate lead and duly authorised Proper Officer for CCTV and Community Safety.

21. APPENDIX 2 – POLICY REVISION HISTORY

VERSION SERIALISATION	REASON:	EFFECTIVE FROM:	AMENDED BY: POSITION AND DATE	APPROVED BY: POSITION AND DATE	PUBLISHED ON:
1.0	Full review of Policy	14 December 2015	Re-drafted by Head of Housing, Health and Community Services	Cabinet, 2 December 2015	14 December 2015
1.1	Annual Review	1 June 2017	Head of Housing, Health and Community Services	Cabinet, 17 May 2017	1 June 2017
1.2	Addition of IT Server Room CCTV System at p.4 and Addition of Lead Officer and additional Duly Authorised	9 November 2017	CCTV Manager in consultation with the Head of Housing, Health and Communit	CCTV Manager as a minor and inconsequential change to policy as per para	9 November 2017

	Officers at p16.		y Services	5.2.	
1.3	Addition of Assistant/Relief Supervisor and Operations Administrator at Appendix 1 in respect of St john's Depot CCTV System and Operational Vehicles CCTV System. Addition of Note[1] at Appendix 1 - [1] For the purpose of Authorisation, officers filling any of the posts within this table in an acting, interim or seconded capacity are also designated as Authorised Officers.	21 November 2017	CCTV Manager in consultation with the Head of Housing, Health and Community Services	CCTV Manager as a minor and inconsequential change to policy as per para 5.2.	21 November 2017
1.4	Annual Review	June 2018	Head of Regulatory Services	Cabinet 27 June 2018	9 July 2018
1.5	Annual Review	July 2019	Head of Regulatory Services	XXXX	XXXX

1.6	Annual Review	July 2020	Head of Regulatory Services	XXXX	XXXX

22. REFERENCES AND USEFUL LINKS

Data Protection Act, 2018

http://www.legislation.gov.uk/ukpga/2018/12/contents

Regulation of Investigatory Powers Act, 2000
http://www.legislation.gov.uk/ukpga/2000/23/contents

Protection of Freedoms Act, 2012

http://www.legislation.gov.uk/ukpga/2012/9/contents

'**Surveillance Camera Code of Practice'**, Home Office, June 2013 - https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/282774/SurveillanceCameraCodePractice.pdf

'**In the picture: A data protection code of practice for surveillance cameras and personal information'**, ICO, May 2015 - https://ico.org.uk/media/for-organisations/documents/1542/cctv-code-of-practice.pdf

Surveillance Camera Commissioner - https://www.gov.uk/government/organisations/surveillance-camera-commissioner